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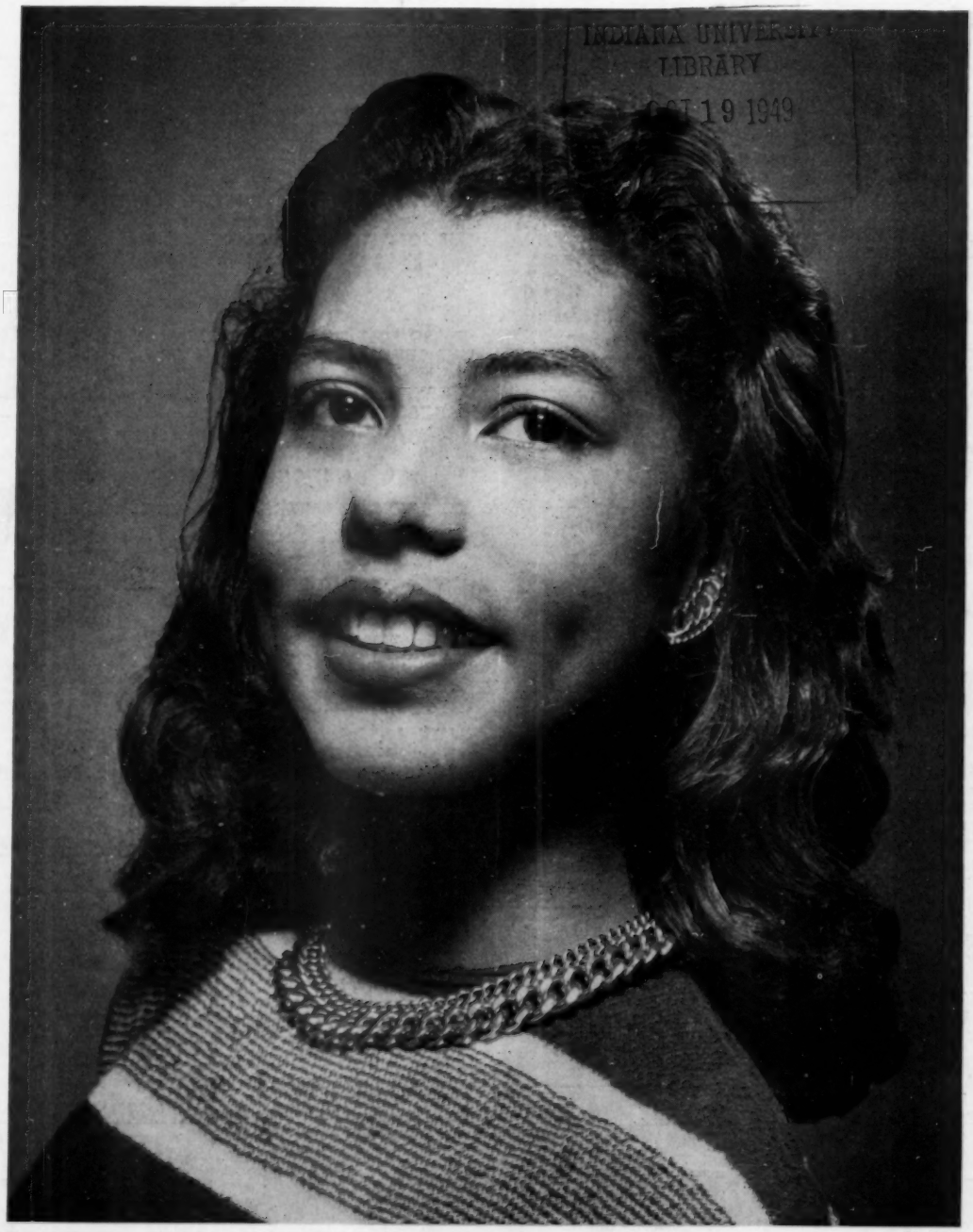

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Vol. 56, No. 9 Whole No. 465

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MAY WE POINT OUT

COVER—Nineteen-year-old Juanita Hardy, of 62 West 125th Street, New York City, a sophomore at Columbia university, is studying to become a certified public accountant.

●

CHARLES H. HOUSTON, a member of the law firm of Housotn, Houston & Hastie, Washington, D. C., is general counsel for the Association of Colored Railway Trainmen and Locomotive Firemen. From 1929 to 1935 he acted as vice-dean of the Howard university law school, and from 1935 to 1940 he was special counsel of the NAACP. In fact, Mr. Houston was first special counsel of the Association and the man responsible for the present structure of the NAACP's legal department. He has since 1940 been a member of the national legal committee of the NAACP.

Born in Washington, D. C., Mr. Houston was educated in the public schools of Washington, Amherst college, from which he holds an A.B., and the law school of Harvard university, from which he holds an LL.B., and a Doctor of Juridical Science degree. During 1923 and 1924, he studied at the University of Madrid, Spain.

●

CLIFFORD R. MOORE is law clerk to Federal Judge Phillip Forman of Trenton, N. J., and chairman of the publicity committee of the New Jersey State Conference of NAACP Branches. He contributed the article on segregation in the Leo Rogers Homes to our April, 1929, issue.

●

ABDIAS NASCIMENTO is described by one of his compatriots, José Leal (*O Cruzeiro*, June 5, 1948) as a "director and mainstay of every movement organized in Rio with the aim of uplifting the colored element. He is youthful, well educated, and energetic. . . . " In 1944 he founded the Brazilian Negro Experimental Theater with the help of sympathetic whites and Negroes and has since been active in this organization and with editing his monthly journal, *Quilombo*.

Quilombo, which is the Brazilian term for a settlement of escaped slaves, is significant of the militant policy of his journal and its five-point program for the full economic, social, and political emancipation of Brazilian Negroes.

Of the many *quilombos* of 17th-century Brazil, the most famous was the Palmares Republic, which lasted, despite repeated assaults by the whites, for sixty-five years (1630-1695). An Afro-Brazilian adage of the period had it that "A fugitive slave settlement is better than a slave hut" (Quilómbo é "mió" que mucambo). The interested will find an extended account of the Palmares Republic in Edison Carneiro's *O Quilombo dos Palmares* (1947).

●

INA SUGIHARA (who reviews *Americans Betrayed* at page 281) is research secretary, human relations commission, of The Protestant Council of the City of New York. She is a member of the Japanese American Citizens League and a frequent contributor to The Crisis.

●

MERCER COOK, co-translator with his wife, Vashti Cook, of Senghor's poem "To the American Negro Soldiers," page 283, is professor of romance languages at Howard university, Washington, D.C.

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COLLEGE and SCHOOL NEWS

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MRS. ELEANOR ROOSEVELT, *acting as a Howard university trustee, bids farewell on August 31 to twenty-one Howard students and three faculty members sailing on the Stavangerford to present a repertory of three plays in Norway, Sweden, and Denmark. Left to right, James Butcher, Dr. Anne Cooke, Mrs. Roosevelt, and Owen Dodson.*

Summer 1949 issue of HOWARD UNIVERSITY'S *Journal of Negro Education* reports its survey of the health status of Negroes in the United States. According to this issue, Negroes have made considerable gains in their health status during the past ten years.

Dr. Robert E. Martin, assistant professor of government, is one of three visiting professors appointed to study the general education program of Columbia university during the 1949-1950 academic year. A 1936 graduate of Howard, Professor Martin received his Ph. D. degree from the University of Chicago in 1947.

The Howard dramatic troupe, consisting of twenty-one students and three faculty members, sailed for Norway on August 31 on a tour sponsored by the Royal Norwegian Embassy at Washington, D.C. Headed by Dr. Anne Cooke, the group will spend, in addition to time in Norway, two weeks in Denmark and a week in Stockholm, Sweden, The repertory of the players consists of Ibsen's *The Wild Duck*, *Mamba's Daughters*, and Strindberg's *Miss Julie*. Two tons of scenery and costumes made by the Howard students were taken along. This is the first time that an American college dramatic group has ever undertaken such a tour.

Among summer speakers at the ATLANTA UNIVERSITY forum were Professor Samuel W. Williams of the Morehouse faculty, who spoke on the welfare state; Dr. William M. Boyd of the university faculty, who spoke on the United States and colonialism; Robert J. Alexander of Rutgers, who spoke on backward areas; and Julian Lee Rayford, interpreter of folklore, who spoke on the value of American folklore. One of the weekly forums was devoted to a discussion of the power of the atom.

Other summer school activities included the annual summer concert by the music students of the summer school, presentation of Ethel Bone, soprano, in concert; a recital by the Wahl Quartet, and staging of *The Tragical History of Dr. Faustus*, by Christoprer Marlowe, and *Noah*, a play by André Obey.

Dr. George D. Kelsey, a graduate of Morehouse in the class of 1934 and former dean of the school of religion at Morehouse, has been elected to the trustee board of Newton Theological Institute for the term 1949-1953. New-

Acme

OLIVIA U. YANCY, 18, *of the Philadelphia high school for girls, won the* $1,500 *scholarship to the Berkshire Hills School, Great Barrington, Mass., where she will study singing. The scholarship was awarded to her as one of the prizes won by Mrs. Benjamin Hubert on the "Stop the Music" Program of March 6. Mrs. Hubert had directed that the prize be given to an outstanding Philadelphia girl.*

ton is a part of the Andover-Newton Theological Seminary, but each school has its own trustee board despite the fact that they constitute one institution. Dr. Kelsey holds a B.D. degree from Andover-Newton and a Ph.D. degree from Yale.

The 154 summer graduates at the college were addressed on August 7 by Dr. Mordecai Johnson, president of Howard university. Twenty-four of the graduates were awarded master's degrees.

At the closing session of the Race Relations Institute at FISK UNIVERSITY, Dr. Charles S. Johnson summarized the gains made in minority integration. He said that race relations in this country in the last year have taken "on the proportions of an orderly revolution within the framework of our democratic society."

The Institute, held under the auspices of Fisk and the race relations department of the American Missionary Association, convened at Fisk for the sixth time this summer.

Cornerstone laying exercises for the new dining-hall building at ALABAMA STATE COLLEGE were held in July. H. H. Houk spoke on behalf of the state, J. C. Blair on behalf of the state department of education, and E. G. Mc-

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Gehee, Jr., recently retired as director of the division of Negro education, on behalf of Negro education. The new dining hall is the third major building erected on the campus under the direction of the State of Alabama Building Commission at an aggregate cost in excess of $750,000.

President W. S. Davis of TENNESSEE A. & I. COLLEGE has announced the establishment of a placement bureau as one of the latest services being offered by his institution. Under the direction of Mrs. Annie G. Sasser, the bureau is designed to serve students, alumni, and faculty as well as their future employers.

A delegation of eleven teachers from the college, headed by Dean G. W. Gore, Jr., attended the convention of the NEA held in Boston, Mass., July 3-9.

The Edward G. Schlieder Educational Foundation has appropriated $20,000 annually for a three-year period to DILLARD UNIVERSITY to be used in the university's program in medicine, nursing, and allied fields. The Schlieder Foundation was established through the will of the late Edward G. Schlieder, a New Orleans businessman and philanthropist.

Dr. Charles Wesley Buggs returned to the Dillard faculty this fall as professor of biology and chairman of the division of the sciences. Dr. Buggs served Dillard in this same capacity from 1935 to the fall of 1943, after which he accepted appointment to the faculty of Wayne university college of medicine in Detroit, Michigan. During his stay at Wayne, Dr. Buggs was advanced in rank from instructor to associate professor.

President Dent announces the appointment of Dr. Norman Alonzo Holmes, formerly pastor of the Central Congregational church, New Orleans, La., as professor of religion and philosophy and director of religious activities.

Executive committee of the National Education Association has reappointed President John W. Davis of WEST VIRGINIA STATE COLLEGE to serve as a member of the national commission for the defense of democracy through education.

Some eighty candidates for graduation received degrees at the summer session convocation on August 19, with

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Beginning this fall the college inaugurates a new program of measurement in the physical education department under the direction of James C. Wilson, a graduate of Springfield college, Springfield, Mass. Purpose of the program is to determine the motor and physical fitness of all freshmen and physical education majors. Results of the testing program will serve to improve teaching procedures and to provide a basis for program content.

When four students from the Brooks school (North Andover, Mass.) returned from a southern tour, they reported that "Southern Negroes themselves would not welcome abolition of racial segregation." W. J. Faulkner, dean of the Fisk chapel, replied in a long letter of particulars to the editor of the New York *Herald Tribune* (August 14). His summary: "One week's experience of living under legal segregation, which attempts by law to isolate a man's body and kill his soul, should convince any four Brooks school lads that an American Negro who says he likes racial segregation and wants it perpetuated is either frustrated or crazy."

New acting-dean of VIRGINIA STATE COLLEGE is Dr. Reuben D. McDaniel, appointed in accordance with the interim arrangements of the state board of education.

Fourth annual coaching school, with approximately nineteen coaches in attendance, was held at the college June 11.

LINCOLN UNIVERSITY (Mo.) opened for registration September 6-12.

Summer session commencement exercises were held August 4 on the campus quadrangle, with William Kottmeyer, newly appointed director of personnel for the St. Louis public schools, delivering the address. Sixty-three degrees were awarded, four of which were M. A.'s

One hundred and sixty delegates were registered at the second annual three-day state short-course of 4-H clubs held at Lincoln July 12-15. The meet was sponsored by the University of Missouri college of agriculture and the agricultural extension service in cooperation with the U. S. Department of Agriculture and the department of agriculture at Lincoln.

For the first time since its founding 103 years ago, the AMERICAN MEDICAL ASSOCIATION will seat a Negro physician in its House of Delegates. The physician, Dr. Peter M. Murray, of New York City, will take his seat in the House of Delegates for the first time at the annual meeting of the AMA in San Francisco in June, 1950. This was made possible as a result of Dr. Murray's election to the house by the New York State Medical Society.

The AMA House of Delegates is the policy-making body of the American Medical Association and is composed of approximately 190 physicians from the United States and its territories.

Dr. Henry C. McBay, professor of chemistry at MOREHOUSE COLLEGE, has been awarded a grant of $5,000 to continue his laboratory investigations into certain chemical compounds. The grant, a renewal of a similar amount given last year, came from the Research Corporation of New York City, a non-profit organization which distributes its entire net income to colleges and other research institutions.

Rupert A. Lloyd, formerly a teacher in the French department at Morehouse, has been appointed to the American Embassy in Paris, France, as second secretary of embassy and vice-consul. He began his duties August 1, 1949.

For the third consecutive summer, Dr. Leslie P. Hill, president of the CHEYNEY STATE TEACHERS COLLEGE, went to the Pacific coast as a lecturer and consultant in summer educational work under the auspices of the University of California.

Dr. John E. Moseley, prominent radiologist and director of the Sydenham hospital cancer detection center,

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J. A. Bacoats, Pres., Benedict College
Columbia 13, South Carolina

was one of the participants in the panel discussion, "The Scope of the Cancer Problem Today," held in July at the AMERICAN CANCER SOCIETY training school at the Gramercy Park hotel, New York City.

Recent appoints at LINCOLN UNIVERSITY (Pa.) include Charles L. Katz as librarian of the Vail Memorial library, Irving "Moon" Mondschein as athletic coach, and former U. S. senator C. Douglass Buck, of Wilmington, Delaware, to the board of trustees. Before coming to Lincoln Mr. Katz was research engineer at the Franklin Institute, Phiadelphia, Pa. He is a graduate of Drexel Institute, where he received his B. L. S., and of Temple university, where he received his Ed. M. Coach Mondschein, who succeeds Chester R. Stackhouse, comes to Lincoln from New York unversity, where he was a stellar all-round athlete.

Historical mural of NEW YORK UNIVERSITY professor Hale Woodruff, painted for the Golden State Mutual Life Insurance Company, of Los Angeles, Californa, was unveiled in August. Among the scenes in the Woodruff panel is one of Negro cavalry and infantry units guarding the workmen building the transcontinental railroads from Indian and bandit attacks.

William E. H. Howard, professor of science and mathematics at L'ECOLE DE MEDHANE-ALEM (Addis Ababa, Ethiopia), has been awarded a U. S. State Department fellowship, under the Fulbright act, for graduate study in economics at the University of Glasgow, Scotland. A native of Athens, Georgia, Mr. Howard is a graduate of West Virginia State college.

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Editorials

THE PEEKSKILL RIOTS

THE unprecedented outbreak of rioting in Peekskill, N. Y., on August 27 and September 4 is a blot upon the local community and a disgrace to the State of New York. Since the disorders, Westchester County officials have been hiding behind the facile explanation that the disorders were provoked by Mr. Robeson's followers. And Governor Dewey has thrown his influence into the scales against an impartial investigation by making a similar accusation. Though the Communists, as is their wont, did deliberately court violence, they did not incubate it. Remember that among the first six Westchester residents indicted on September 20 by a Westchester County September Grand Jury for their part in the mob was Joseph A. Lillis, Jr., 25-year-old son of the Peekskill police chief.

Exact details of the rioting are still obscure, but these facts have been established. On August 27 Mr. Robeson was scheduled to give a concert under the auspices of People's Artists, a Communist "cultural" affiliate, in behalf of the Harlem division of the Civil Rights Congress, a Communist front outfit. Veterans then decided to organize a picket-line demonstration in protest. This, of course, they had a perfect right to do. The Communists themselves are excessively fond of picket lines and will throw one on the slightest provocation. But despite the announced intentions of both groups, Mr. Robeson to sing and the veterans to picket, the police made no preparations for keeping order. What was to have been expected under the circumstances happened—a riot. State troopers and sheriff's deputies did not arrive on the scene until nearly three hours after the fighting had started, seats and books been burned, and some fifty people injured, many seriously. As result of this rioting there was no concert.

AT the second concert, which had been preceded by much inflammatory Communist publicity to the effect that if the police could not protect the concertgoers Communist strong-arm squads would, an amalgamated police force was on hand to prevent disorder. But afterwards, as the crowds started through Peekskill, mobs began stoning their cars and buses. And, according to some eye-witnesses, the police funneled the line of cars down a single road to run a gauntlet of smirks and stones. Was this police bungling or collusion? Some 145 persons were injured and 50 buses stoned, two of them bus loads of Negro passengers returning from the Roosevelt Memorial at Hyde Park.

What was bound to happen on August 27 and September 4 could have been clearly envisaged and anticipated. Did the authorities intend it to happen? Whatever their motive and aims (whether covert sympathy with the mob or "politics") there is something sinister about them without for once taking stock in the Communist fabricated hysteria that it was a "storm trooper mob violence."

We hold no brief for the Communists and their stooges, but mob violence is mob violence and cannot be condoned under any circumstances, even when it is directed against the arch-enemies of civil rights. The main issue is as clear as it is simple: It is the Constitutional "right of the people peaceably to assemble." Mr. Paul LeRoy Robeson and his followers have as much right to enjoy the privileges of the First Amendment as his fellow citizens. He had as much right to sing "Ol' Man River" at the Lakeland picnic grounds in September at Peekskill, N. Y., as he had to warble "The Song of the Warsaw Ghetto" some months ago in the open-air Green Theater in Moscow's Gorky Park of Culture and Rest. We say this in the full knowledge that neither Mr. Paul LeRoy Robeson nor his followers are any respecters of the Bill of Rights and that if they came to power tomorrow they would be the first to destroy them. We have to guarantee Mr. Robeson and the Communists this Constitutional right for theirs and our own protection.

For if hooligans are permitted to crack Communist heads and to break up Communist concerts today, they will be cracking Catholic or Mormon heads with equal glee on the morrow. Actually, the violence attending these two concerts performed a priceless service for Mr. Robeson and his followers and furnished new grist for the Kremlin propaganda mill. *Pravda* and Radio Moscow are already shrieking "fascist violence" and "would-be lynching" throughout the world. The moral of Peekskill is clear. It should never have happened. The duty of Governor Dewey and the authorities is equally clear. The culprits must be apprehended and brought to justice.

FLORIDA "JUSTICE"

ONE of the most shocking miscarriages of justice in recent years has just happened in Florida. Three young men—Samuel Shepherd, Walter Irvin, and Charles Greenlee—were convicted by an all-white jury on September 4 of the rape of Mrs. Norma Padgett on July 16. Their conviction is result of a frameup. Evidence adduced against them was fabricated by the police and the officials of Lake County, and the cynical manner in which it was manufactured brings a shudder to every believer in justice and democracy.

Here are three youths, two sentenced to the electric chair and one to life imprisonment, "railroaded" on the unsupported testimony of a woman and her husband. Their purported confessions were extracted by brutal beatings and their indictment came from a grand jury sitting in an atmosphere of mob violence. And at their trial in the Lake County Circuit Court at Tavares the evidence against them had, in the words of the NAACP lawyer, "all of the characteristics of a dime store criminal novel. . . . A perfect frameup." Their lawyers were not given adequate time to prepare their defense and their relatives who could have testified in their favor had already been driven from the county.

This miscarriage of justice must be corrected. Everyone can help by contributing to the Groveland defense fund.

HARRY T. BURLEIGH

IN the death of Harry Thacker Burleigh at Stamford, Conn., on September 11 America loses a great composer and singer and the Negro race one of its most inspired interpreters of the spirituals. As baritone soloist for fifty-two years at St. George's Protestant Episcopal Church in New York City, Mr. Burleigh gave new dignity to his group and its songs. We miss Harry T. Burleigh. America is the poorer for his passing.

Florida's Little Scottsboro: Groveland

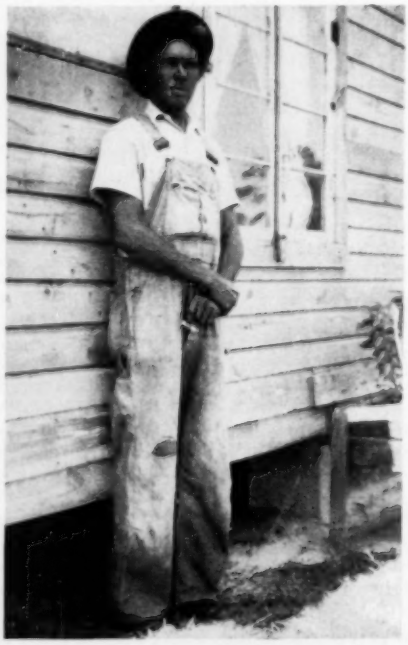
A brief review of the steps leading up to the "legal lynching" of three innocent men at Tavares, Florida, as a result of an alleged rape and the Groveland terror

THERE has been a crescendo in the awful business of Groveland, Florida, from beginning to end. Those who lived at the storm-center, at the eye of the storm as they say of a hurricane, remarked the gradually mounting gale of hate and violence until it engulfed its victims. You see the situation: on this side insensate, intolerant whites, envying the thrifty Negroes their modest homes, their little garden patches of ground, their cheap automobiles; on the other side Negroes trying to eke out an existence from the poverty-stricken land and an exploitative citrus industry, trying all the while the best way they know how to placate their white neighbors.

This one incident throws light, as from a red flare, into the festering bowels of this community called Groveland, Florida. The tragic horror that has come into the life of Henry Shepherd, the confused, tired Negro farmer whose one gnawing ambition in his bitter disillusion is "No more trouble." Henry Shepherd is an honest, uneducated God-fearing man who had struggled to overcome the natural and man-made handicaps of living as a Negro farmer and father in the Southland.

Ever since 1943, when he started building his home and reclaiming the swampland that is his little farm, the white folks, it seemed, had been getting in his way. They had subtle ways of hurting a man. They let their cows destroy his crops just as they reached harvest. When reminded of this, his white neighbors would promise not to let it happen again. But it did happen again. He put up fences but the white boys came and tore them down. Once he penned up a few head of cattle, but the local sheriff told Henry to free them because the impounded cattle would not compensate for the damage.

And there was the openly expressed hatred of his neighbors because Henry had refused to let his teen-age daughter work in the home of a neighbor who had already tried to rape one Negro girl. And then his boy "Sammy" returned from the Army. Before the war the whites had never said any but nice things of "Sammy." But now "Sammy" was an "uppity nigger." They never said anything good of him; he was a veteran, "a smart nigger," not working, and driving around in his brother's Mercury. The whites began to grumble that it was time now that somebody put both Henry and "Sammy" in their places.



HENRY SHEPHERD, *father of "Sammie," whose home was burned by the mob.*

Worn, tired, with his formerly handsome face now battered, sunken, and his left eye a gaping void, shot out by a white man's gun, Henry is a broken man. In their envy and hate, his neighbors burned his six-room home, stole his chickens, all of Charlie-Mae's preserves, all the little possessions that Henry had worked so hard to accumulate. And Henry knows they are not through with him; that some day, some how, the white men plan to get him. This is the success story of a poor, upright Negro farmer in sunny Florida A. D. 1949.

Stalking Fate

What fate overwhelmed Henry Shepherd? What fuse lighted the dynamite of envy, jealousy, and hate that finally blew Henry Shepherd out of this little Florida community?

Shortly after 4:00 A. M. on the morning of July 16, 1949, Willie Padgett, a 21-year-old white farmer, drove up to a filling station in Leesburg near Groveland and told the attendant, Curtis Howard, that "something has happened." He reported that four Negroes had "kidnapped and raped" his 17-year-old wife Norma Lee Tyson Padgett.

He gave several versions of what happened, but on the witness stand at Tavares, Florida, nearly three months later, Willie Padgett gabbled this story. He said that he and his wife had decided on the night of July 15 to attend a square dance in the American Legion hall at Clermont. He says he decided to leave the dance at 1:00 P. M. to drive to Okahumpka, twenty miles away, to get a bite to eat. But when they neared Okahumpka they changed their minds and decided to go home. On the way back he said the car stalled and that at this juncture a late model Mercury with one white-wall tire pulled up. In the car were Samuel Shepherd, Walter L. Irvin, Charles Greenlee, and Ernest Thomas. They

offered to help, but instead of helping, Padgett says, the men attacked him; and that when they stopped, he realized "something was up." The four youths are then supposed to have tossed Padgett against a fence and driven off with his wife.

According to Mrs. Padgett she was then raped in turn by all four on the back seat of the car.

What did the men say? Speaking through their sworn and signed affidavits of July 31, 1949, they tell quite different stories in respect to what they did that Friday night of July 15 and early Saturday morning of the 16th.

Samuel Shepherd, the 22-year-old veteran the white community thought "uppity," said that on Friday night, July 15, he borrowed his brother's car and took his girl friend to a show. They got back to the house between 10:00 and 10:30 P. M. He then picked up Walter Irvin and drove with him to Claremont to buy gas, but when they found the placed closed they went to Lincoln Park to buy gas from a police officer Samuel knew. After they got the gas he and Irvin drove to Orlando and then to the Club Eden in Edenville where they drank a quart of beer. Then they headed for home. Samuel dropped Irvin off home and reached his own house between 2:30 and 3:00 A. M. After he left Irvin he saw no one.

Later that morning, July 16, a high sheriff and two patrol cars pulled up outside Irvin's home. As he was leaving the house, the officers asked where was the fellow he was with last night. When they learned that Samuel (who had returned later in the moring) was inside, they told both fellows to come out and get in their car. In the meantime, a white civilian jumped out one of the cars and yelled: "That's the man there that took my wife."

The police then drove Shepherd and Irvin about four or five miles out into the country on a clay road. "They took Irvin out of the car and started to beating and asking him about this man's wife; then they took me out of the car and whipped me up too. They whipped me with their fists and billies. They must have beat us about a half hour. After this, they put us into the car and took us to the place where this is supposed to have happened; then they took us to Tavares. They put us in the big cell. We stayed there until after dinner. Late that afternoon after they had taken Irvin out of the cell, they called me and took me downtairs. They handcuffed me to a water pipe heating system, which ran across the ceiling, my feet barely touching the floor. They pulled off my clothes, dropped my pants around my feet, and started whipping me. They beat me with a rubber hose and with a billy; hit me a few licks in the face and across the head with it. My mouth was bleeding where a front tooth went through my lip. I have three teeth broken in the back of my mouth."

Keystone

THESE THREE YOUTHS *were victims of a frameup which, says Attorney Franklin Williams, has "all of the characteristics of a dime store criminal novel. . . ." Pictured from left to right are Walter Irvin, Charles Greenlee, and Samuel Shepherd after being sentenced for the alleged rape of Norma Padgett. Charles Greenlee got life; the others were sentenced to death.*

Throughout this beating the police tried to make him admit that he was one of the group that had allegedly raped Norma Padgett. He and Irvin were again taken into the woods and beaten some more.

Medical Report

The medical report on Samuel Shepherd made by Nelson Spauling, M. D., and Jean Downing, D.D.S., both of Jacksonville, at the instance of the NAACP, noted "numerous bruises. Under the skin of the abdomen, several collections of scar tissue . . . which the patient states were the result of blows." There were also lash scars across the back and chest, scar on top of head, and a small scar on the wrist.

Walter Irvin corroborates in every essential the details given by Samuel Shepherd. "When they were beating me," Irvin said, "they said to me: 'Nigger, you the one that picked up this white girl last night?' I said to them, 'What white girl?' They said, 'Well you might as well tell us, you're the one did it cause we gonna beat the hell out of you until you tell us you did do it." The medical report on Irvin

THE CHARRED *remains of Henry Shepherd's home. It was fired by the mob in revenge.*

notes numerous healing scars on various parts of his head, wide bruises on his chest and stomach, obviously caused by a stick or other object, lash marks on his shoulders, and slugs behind each ear.

Sixteen-year-old Charles Greenlee, whose family does not live in Groveland, but in Santafe, and who doesn't even know Samuel Shepherd and Walter Irvin, was likewise arrested and tortured. However, the Padgetts said he was not one of the men. "A woman and a man came down here [to the jail]. The man said, 'That's not one of the boys'; the woman said, 'He looks like one of them.' The man said again, 'No, he's not one of them.' Then they turned and went off." Greenlee is an illiterate itinerant worker and he had just hitch-hiked into Groveland from Gainsville, Florida, that morning. He had come in with Ernest Thomas, the other suspect in the case who was later killed in the woods by a mob of deputies. The coroner's jury found him legally slain since he was "unlawfully armed and with a deadly weapon—while attempting to shoot and murder public officials. . . ." There was no more evidence connecting Thomas with the "crime" than any of the others, but then the white woman had said "four," *and so four it must be.*

Such third-degree methods finally did get oral admissions from Greenlee and Shepherd, but Irvin never confessed even when beaten into unconsciousness. But none of the youths has ever signed written confessions. Nor did the prosecution make any attempt to introduce these purported confessions at the trial.

After the alleged rape incident, general hysteria and prejudice was rampant throughout Lake county. Mobs sought out the accused youths and when they could not find them wreaked their vengeance upon defenseless Negroes and their homes. Because local law enforcement officials were unable to cope with the disorders, the state militia had to be called out.

Sensing the likelihood of increased violence in Groveland after the first mob outbreaks, the NAACP telegraphed Attorney General Tom Clark on July 18 urging that he investigate the violence and riots against Negroes in Groveland to ascertain whether federal statutes had been violated. A similar telegram was sent Governor Fuller Warren of Florida asking return of the dismissed national guardsmen to duty in the Groveland tension area. Alexander M. Campbell, assistant attorney general, replied that the matter was "receiving very careful consideration" from the Department of Justice." And Frank S. Wright, assistant to the governor of Florida, wired "to advise that Governor Warren two hours ago instructed that National Guard personnel be returned to Groveland area."

On July 16 Franklin H. Williams, NAACP special counsel, was sent to Florida to investigate the rioting and to interview the three young men, Shepherd, Irvin, and Greenlee, being held on charges of beating Padgett and raping his wife. When Mr. Williams finished his investigation, both of the rioting and the alleged crime, he was convinced that the three youths were entirely innocent. He came back to New York with retainers signed by the three defendants and their parents and immediately set to work on their defense.

Legal Obstacles

Every legal obstacle was placed in the way of the NAACP and Attorney Williams in working up the defense of the men. It was almost a month before Attorney Williams was successful in securing Florida attorneys willing to represent the boys. Those approached would refuse on the grounds that it would be harmful to them to represent the defendants. Finally the NAACP secured the services of Alex Akerman, Jr., of Orlando; Joseph E. Price, Jr., and Horace Hill, of Daytona.

First legal step was to ask for a change of venue to move the scene of the trial from the hostile Groveland area where biased news stories and provocative editorials had worked the community to a fever pitch where an impartial trial was virtually impossible. The *Orlando Morning Sentinel* of July 19, 1949, had actually come out with a colored front-page cartoon shrieking the guilt of the young men even before their trial. To three electric chairs was pinned the legend: "The Supreme Penalty" and the cartoon bore the caption, "No Compromise!" with another legend reading, "The Lake County Tragedy." And of Attorney Williams, the *Orlando Evening Sentinel* had said: "If smart lawyers or agents of different outside organizations seek to hamper justice through the employment of legal technicalities, they may bring suffering to many innocent Negroes." This was clearly an incitement to mob violence. Then the paper went on to assume the guilt of the defendants: "They should weigh well any attempt to avoid requiring the guilty quartet, or any part of it, from paying the full penalty for their crimes."

Nor could the parents and relatives of the defendants put in their appearance as material witnesses at the trial because of the racial tension and the bitterness against the men. The families of all three defendants had to flee Lake county. The selection of an impartial jury in the county was likewise impossible since the purported confessions, brutally beaten out of the youths, had been widely disseminated throughout Lake county by newspaper and radio reports, as well as word of mouth. And although these alleged confessions were inadmissable as evidence, it would be impossible for the jurors to erase them from their minds.

Just what testimony was given before the grand jury which indicted the men on July 20 for the single crime of criminal assault is still a secret. Among those who testified were Dr. Geoffrey Binneveld of Leesburg, sheriff W. V. McCall, state patrolmen Ben Norris and C. S. Carroll, Curtis Howard, deputy sheriffs Leroy Campbell and James Yates, and Norma and Willie Padgett. March DeBose of Umatilla, first Negro to serve on a Lake county grand jury, was, for quite obvious reasons, accepted without protest.

Trial of the men was first set for August 29 by Circuit Judge T. G. Futch but then changed to September 1 at Tavares. Defense counsel Alex Akerman, Jr., of Orlando, made a plea to withdraw the defendant's plea of guilty and to set aside their arraignment, but Judge Futch denied it and gave Akerman instead a four-day extension in which to prepare his case.

Results of the trial, in which state attorney Jess Hunter, said he wanted a verdict within twenty-four hours," is already known. On September 3 the jury found the three defendants guilty and two of them, Samuel Shepherd and Walter Irvin, were sentenced to die in the electric chair. The third, Charles Greenlee, was sentenced to life imprisonment. Defense motion of a new trial was denied by Judge Futch, but defense counsel are going to appeal

(*Continued on page* 285)

Foul Employment Practice on the Rails*

By Charles H. Houston

Here is the story of the dramatic legal struggle of Negro train and engine service workers to protect their rights as minority workers on American railroads

THIS is the story of the fight for economic survival by two groups of Negro workers on American railroads. I am not talking about the shop craft men who help keep the rolling stock in repair and running condition. I am not talking about the maintenance of way men who look after the tracks and the roadbed. I am not talking about the cooks and waiters, the Red Caps or the Pullman Porters. I am talking about the men out on the mainline who help speed the traffic from terminal to terminal, and the men in the yards who switch the engines and cars about and make up the trains to go on the road. I am talking about the Negro firemen and brakemen and switchmen who used to be all over the South and Southwest forty years ago, but who are vanishing now thru the organized prejudice and discriminations imposed on them by the national white operating railroad unions.

The Bureau of the Census did not make a separate breakdown on Negro and white firemen, brakemen and switchmen until 1920. The 14th Census in 1920 showed 6,505 Negro firemen in that year. By the 1940 Census the Negro firemen had dwindled to 2,263. The 1920 Census showed a total of 8,275 Negro brakemen, switchmen, flagmen and yardmen. The 1940 Census gave the total of Negro brakemen, switchmen, flagmen and yardmen as 2,739.

Figures are not available showing the number of Negro firemen, brakemen, switchmen, flagmen and yardmen as of 1949; but if we had them they would show figures much lower than those for 1940 due to deaths, retirement, discharge and other reasons. There were no Negro replacements by way of new hiring. The big-four operating brotherhoods (Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen & Enginemen, Brotherhood of Railroad Trainmen and Order of Railway Conductors) presented a solid front against the hiring of Negroes even during the manpower emergency shortage in World War II.

It is reasonably safe to say that practically no Negro firemen, brakemen, switchmen, flagmen or yardmen have been hired on Class I American railroads since 1928.

On many railroads hiring of Negroes in train and engine service stopped before that. On the Norfolk & Western Railroad, as the result of a secret agreement between the railroad and the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Railroad Trainmen in 1909, not a single Negro fireman or brakeman has been hired in the last forty years, and the last Negro fireman on the Norfolk & Western has now retired. There are a few Negro brakemen still left, but they too will soon be gone. For the past fifty years the Big-four Brotherhoods have been using every means in their power to drive the Negro train and engine service worker out of employment and create a "racially closed shop" among the firemen, brakemen, switchmen, flagmen, and yardmen. They have just about succeeded on the Norfolk & Western and will soon succeed on all the other railroads in the South and Southwest unless they are checked by judicial decision and the force of public opinion.

Key Workers

White collar or professional workers often look down on the Negro firemen and brakemen without realizing the strategic role they play in the struggle to democratize the industrial structure of the United States. Transportation workers are always key workers in the industrial structure. A major transportation strike can paralyze the country; and the Government always steps in and seizes the railroad on which such a strike is threatened in order to avoid this economic paralysis.

The transportation workers are usually the most favored industrial workers so far as rates of pay and working conditions are concerned. Hour for hour of service the firemen and brakemen make more money than most white collar and professional workers. The average brakeman earns from $350.00 to $400.00 a month; the average fireman from $400.00 to $500.00—with vacation with pay, and liberal compensation laws. On a fast passenger or fast freight the fireman or brakeman makes his run in from 90 minutes to three hours and is then thru for the day. He works on an average of from 20 to 25 days a month. Unless something goes wrong, a fireman or

* Originally prepared as an address for delivery to the July 14 session of the 40th Anniversary NAACP Conference, Los Angeles, California.

Acme

THE "NORDIC" CLOSED SHOP *on the railroads is maintained by* **ALVANLEY JOHNSTON** *of the Brotherhood of Locomotive Engineers. . . .*

brakeman does less than thirty minutes physical work on a road trip; the rest of the time he is sitting still watching the road and his train. The next time you go to a station or pass by a railroad switching yard, or ride a fast streamliner, watch and see just how much physical work the fireman or brakeman is actually doing.

That is part of the secret; the jobs are too soft and the pay too good for these Big-four Brotherhoods to permit these jobs to be held by Negroes.

Negroes are not the only minority that these Big-four Brotherhoods fight. Get railroad conscious and ask yourselves how many Latin-American firemen or brakemen have you seen; how many Japanese-American, or Jewish or Italian? These Big-four Brotherhoods have the railroad train and engine service tied up tight for a white monopoly, for a "Nordic closed shop." Every race, color, and creed has to use the railroads. Every race, color, and creed has to pay taxes to help support the railroads; but the Big-four Brotherhoods have the train and engine service reserved for 100 percent pure Gentile firemen and brakemen. The census figures for 1940 show the whites have 99.9 percent of the railroad conductors, 99.4 percent of the locomotive engineers, 94.8 percent of the locomotive firemen, and 97.4 percent of the brakemen, switchmen, flagmen and yardmen. This sounds like an advertisement for "Ivory Soap"—99.4 percent pure.

The Big-four Brotherhoods are rich and powerful. President Whitney of the Brotherhood of Railroad Trainmen threatened to spend one million dollars in 1948 to defeat President Truman. He could afford to do this. The Brotherhood of Railroad Trainmen has over 200,000 members. The Brotherhood of Locomotive Firemen & Enginemen has over 100,000 members; the Brotherhood of Locomotive Engineers about 80,000 members and the Order of Railway Conductors some 60,000 members. The four brotherhoods maintain an independent legislative lobby in Washington. In fact theirs is the oldest labor lobby in Washington. They helped write the 1934 Railway Labor Act, and each one of the four brotherhoods has its representative sitting on the First Division of the National Railroad Adjustment Board which has jurisdiction over all grievances affecting train and engine service employees, including firemen, brakemen, switchmen, flagmen, and yardmen.

Shocking Testimony

During World War II the President's Committee on Fair Employment Practice was able to integrate minority workers in many industries, but it was not able to budge the Big-four Brotherhoods one inch. The FEPC in 1943 cited the four brotherhood because all of them have clauses in their constitution excluding Negroes from membership and because of their hostile and discriminatory acts against Negro train and engine service workers. The Big-four Brotherhoods ignored the charges. The FEPC held a four-day hearing in Washington in September, 1943, on discriminations against minority railroad workers as impeding the war effort. The Big-four Brotherhoods refused to attend the hearings, send representatives, or to submit any evidence. The FEPC issued its directives against the carriers and the railroad unions. Neither obeyed the directives, but instead both the carriers and the unions preferred charges against the FEPC before the Smith Committee of the House of Representatives. The lawyer for the Railway Labor Executives Association stated to the Smith Committee that if the directives of the FEPC ordering elimination of the color bar in the brotherhood constitutions and of the discriminatory working conditions were carried out the organizations would not be responsible for what their membership might do.

The Big-four Brotherhoods never felt the necessity of defending their acts of discrimination, any place, except in court, until this spring. Then they were called before a sub-committee of the House Committee on Education and Labor presided over by Congressman Adam C. Powell of New York, who was holding hearings on his FEPC Bill H.R. 4453.

Congressman Powell was so shocked by the testimony of discrimination put in the record against the Big-four Brotherhoods that he issued telegrams to the heads of the four organizations requesting them to appear. He dropped a hint that if they did not appear he was going to issue subpoenas, that he wanted them to know they were dealing with a committee of the Congress and not with a war-time FEPC. The four brotherhoods appeared on schedule. The presidents did not come. Even when they were licked they wanted to make a last show of defiance. But the vice-presidents came, and if you ever read their testimony before the Powell committee you will see how the most powerful can squirm when they are finally exposed in the floodlight of public opinion.

This article might sound anti-labor or anti-union; but basically we are not fighting the brotherhoods as such. What we are fighting is discrimination and jim-crow in the brotherhoods. Nobody recognizes more than the Negro firemen and brakemen how much the Big-four Brotherhoods have done generally to raise wages and improve work-

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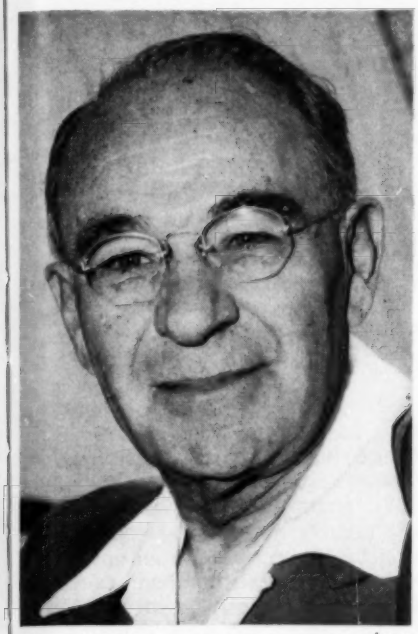
. . . had an able assist from the late **A. F. WHITNEY** *of the Brotherhood of Railroad Trainmen. . . .*



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. . . and the faithful support of **HARRY FRASER** of the Order of Railway Conductors.

ing conditions on the railroads. What the Negro firemen and brakemen complain about is that the Big-four Brotherhoods raise wages and improve working conditions, then just as soon as the wages are raised and working conditions improved, they set about to limit or to completely eliminate the Negro from the road.

Origin of Brotherhood

The history of aggression of the Big-four Brotherhoods against the Negro firemen and brakemen goes way back. In every major war the United States has fought since railroading began the unions have put their prejudices over and above the national safety. The Brotherhood of Locomotive Engineers is the oldest of the big-four. It started under the name of the Brotherhood of the Footboard on the Michigan Central in 1863. Part of the reason was resentment against the Michigan Central's proposing to hire some Negro firemen during the manpower shortage caused by the Civil War.

In World War I the Baltimore & Ohio and the New York, New Haven & Hartford, which up to that time had hired only white firemen, proposed to hire some Negro firemen to tide them over the war emergency. Both the Grand Chief Engineer of the Brotherhood of Locomotive Engineers and the President of the Brotherhood of Locomotive Firemen & Enginemen instructed their members to refuse to work with Negro firemen on any railroad which up to the War had had a pure white firing force. The Brotherhood of Railroad Trainmen in its official journal in October, 1917, announced that its organization was in full accord with the Engineers and Firemen, and advised its membership to notify the President of the Brotherhood of Railroad Trainmen as soon as they received an intimation that any railroad was contemplating hiring Negroes for freight, yard or passenger service on jobs theretofore held by white men.

In World War II the Brotherhood of Locomotive Firemen & Enginemen put out a strike ballot to prevent the hiring of additional Negro firemen on the Atlantic Coast Line where Negroes had been working as firemen ever since there had been an Atlantic Coast Line. Hundreds of white firemen had been hired by the Coast Line during World War II. But not a single Negro fireman had been hired by the Coast Line since 1929. Yet the Firemen's Brotherhood was willing to strike, without regard to its effect on the war effort, rather than let a single new Negro fireman be hired.

On the St. Louis-San Francisco Railroad not a Negro fireman or brakeman had been hired since 1928 due to a blanket agreement the four brotherhoods had forced the Frisco to sign under strike threat not to hire any more Negro firemen or brakemen. In 1944 after the Battle of the Bulge, when the United States was straining every nerve and sinew against Germany and Japan, the Frisco management approached the four Brotherhoods to get their consent to hiring some Negro firemen and brakemen during the war emergency on the Southern Division from Memphis to Birmingham, where Negro firemen and brakemen had been working since 1894. All four brotherhoods replied that they were unalterably opposed to the hiring of a single Negro fireman or brakeman.

Negroes Not Wanted

Inch by inch, and yard by yard, down thru the years, the brotherhoods have been choking off the employment rights of Negro train and engine service employees. In 1890 the Trainmen, Conductors, Firemen and Switchmen's Mutual Aid Association demanded that all Negroes in the train, yard, and locomotive service of the Houston & Texas Central Railway System be removed and white men employed in their places. In 1898 the Trainmen tried to get all the Negro brakemen removed from the Missouri Pacific System. In 1899 the four brotherhoods had all the colored porters on the Gulf, Colorado and Santa Fe Railway passenger trains removed and replaced by white brakemen.

In 1908 The Brotherhood of Locomotive Engineers voted to organize the railway engineers in South America and sent a vice-president down for that purpose. In 1910 that officer reported back to the Engineers' convention that the reason he did not attempt to organize the railway engineers in Cuba was because there was no way of telling the "nigger" from the white man.

In 1909 the Firemen's Brotherhood staged a bitter and violent strike against Negro firemen on the Georgia Railroad, demanding white supremacy and the replacement of Negro firemen by whites. In 1910 the Trainmen and the Conductors negotiated what is called the Washington Agreement with most of the Southeast railroads providing that no more Negroes were to be employed as baggageman, flagman, or yard foreman; they followed up in 1911 by negotiating a similar agreement with some of the railroads in the Mississippi Valley.

In 1914 the four brotherhoods joined in a letter to Colonel Goethals of the Panama Canal demanding the removal of Negro engineers, firemen, conductors and brakemen from the railroads at the Panama Canal, stating that it was the policy of the four brotherhoods in the United States to oppose the use of Negroes as engineers, firemen, conductors, or brakemen on the railroads in the United States.

In 1919 while the railroads were under Federal Control in World War I the Brotherhood of Railroad Trainmen demanded of the United States Director General of Railroads that he guarantee the brotherhood a majority of men employed, so that contracts made by the brotherhood could be protected by the brotherhood. The Trainmen further notified the United States Southern Regional Director, Mr. Winchell, that it desired to negotiate an agreement which would thereafter prevent the employment of Negroes in train and yard service.

The list is too long for all the acts of aggression to be pointed out. We have already pointed out the attitudes of the brotherhoods in putting their prejudices above the national safety in World Wars I and II. We close this part of our survey by noting that in 1940 the Firemen's Brotherhood served a notice on the Southeastern carriers which if adopted would have driven every Negro fireman out of service within a year. Also in the 1940's the

(*Continued on page* 284)

Full Citizenship in New Jersey

By Clifford R. Moore

A review of Governor Driscoll's role in the adoption of the New Jersey Constitution of 1947 conferring full-citizenship upon the state's Negro citizens

IN 1946 Alfred E. Driscoll, then the Republican candidate for governor of New Jersey, was addressing the delegates to a quarterly meeting of the New Jersey State Conference of the NAACP. In simple, direct language he expressed views which reflected his ambition to attain "full citizenship for all citizens of our state, to remove all forms of discrimination based upon race, creed, color or national origin, and to set aside anything which would deny human dignity to any citizen."

If the delegates listened with an air of distrust, they could not be criticized, for Negroes have long been used and wooed by selfish political candidates. In concluding his remarks, Driscoll said: "These things I believe. These things I shall do if elected." Events have since proved he meant it.

Much has been written about this outstanding socio-political rebirth in the state of New Jersey, but the full picture must await painting by some one much better qualified than the present writer. Therefore, what follows is but a sketch of the socio-political benefits which Governor Driscoll has wrought in the state of New Jersey.

New Jersey has not always enjoyed its present reputation for liberality; in fact, in some of the southern counties conditions were reminiscent of the upper south. Historically, though early legislation made slavery difficult, it was not completely wiped out until the adoption of the Thirteenth Amendment. And although some Negroes voted immediately upon adoption of the Federal Constitution, the New Jersey Constitution of 1844 limited the ballot to "white male citizens" in spite of protests from abolitionist groups. It was not, however, until adoption of the Fifteenth Amendment in 1870, along with the amendment of 1875 to the New Jersey Constitution, that Negroes got the right to vote.

In 1888 the state passed a civil-rights act which barred discrimination in public places. Subsequent amendments to this act made it appear on paper, at least, that New Jersey had really outlawed discrimination; but, as with so many laws, lack of enforcement left the evil unchecked. The Ku Klux Klan flourished in many Jersey counties shortly after World War I, and in the early thirties the German-American Bund had established camps in the state. This merging unity of Klan and Bund objectives shortly before World War II naturally made difficult the fight against jim crowism and segregation.

Yet the courts of the state have constantly struck out against discrimination. In 1885 the New Jersey Supreme Court ruled in *Pierce v. Union School Trustees,* 46 N. J. L. 76, that the law of 1881, stating "that no child between the age of five and eighteen years of age shall be excluded from any public school in this state on account of his or her religion, nationally or color," prevented Burlington City from barring colored children from its public schools. The latest ruling was made by the Superior Court in *State v. Roseclief Realty Company,* 62 A. 2nd 488, 1948, when it held that swimming pools were included in the 1935 civil-rights act. In the past the problem has been this: it has always required long-drawn-out court action to secure redress in cases of racial discrimination. This condition, however, was remedied with the adoption of the Freeman Civil Rights Act of 1949.

GOV. ALFRED E. DRISCOLL

First Negro Battalion

Let us examine the role of the then state senator Driscoll in the federalizing of the First Battalion. In 1934 the state legislature created the First Battalion of the New Jersey National Guard, but the organizaton lacked full standing under the National Defense Act and was denied benefits from the Federal Government, so requests were made to the National Guard Bureau for federal status. During the course of a meeting with Major General John F. Williams, chief of the National Bureau, one of his staff asistants remarked that Negroes lacked ability to understand the problems of artillery. The writer, who was present representing the enlisted men, recalls the answer given by Charles Houston, who was representing the NAACP: "Colored men have the capabilities for any type of training offered anyone in the United States Army. The morale of the Negro Americans will not permit acceptance of a menial status." This meeting resulted in an agreement to federalize the New Jersey unit, but supporting state legislation was necessary.

So a delegation approached Driscoll, then a state senator from Camden county, and explained the problem. Senator Driscoll acted promptly. He sponsored and obtained approval for the law which created the First Battalion, 372nd Infantry, the first Negro unit in the New Jersey National Guird. The occasion is still memorable to the writer for it was then he took the oath of office as a second lieutenant along with the then Captain George L. Eggelstone and First Lieutenant Gorge J. Cole, making us the first Negroes to be commissioned as National Guard officers in New Jersey.

Negro citizens were then seeking a toe hold in the armed services, and they were willing to compromise so that colored men might have the opportunity to defend their country.

Senator Driscoll subsequently became governor and his inaugural ceremonies were barely over when he started his plan of "full citizenship" for all citizens of New Jersey. Realizing that more "purposeful legislation" was needed, he began a program that eventuated in the adoption of the 1947 New Jersey Constitution, a document that has been termed modern, streamlined, and efficient. This new charter sifted from the old constitution the useless and the anachronistic, but retained all those elements favoring human rights and freedom. Clause 5 of Article 1, Rights and Privileges, reads: "No person shall be denied the enjoyment of any civil or military right, nor be discriminated against in the exercise of any civil or military right, nor be segregated in the militia or in the public schools, because of religious principles, race, color, ancestry or national origin."

Just prior to the adoption of the new constitution, the New Jersey NAACP State Conference had conducted a complete survey of the New Jersey school situation. The Trenton NAACP, in 1944, had succeeded in establishing the right of all school children to attend public schools nearest their homes. And because of the desire of returning veterans to re-enter the National Guard, the State Conference had launched a campaign for integrated units. Luckily, the constitutional convention could be used as the instrument for achieving this objective.

First positive evidence of the friendship and understanding of Governor Driscoll, with the new constiution as an aid, was displayed when members of the Trenton NAACP sought the enlistment of a colored youth in the 214th Infantry, previously all white. Although there had been meetings with National Guard officials looking to possible litigation, Governor Driscoll had not been idle. Early in January, 1948, he had asked the late Secretary of Defense James Forrestal what action the Department of the Army would take if the new constitutional order was enforced. At the same time, however, National Guard officers were continuing to establish segregated units; since, so they declared, New Jersey would lose federal recognition and federal funds if the state units were integrated.

Nevertheless, a New Jersey National Guard order was issued. It stated:

> Unit commanders are informed that under the present Department of the Army policy mixed units are not authorized in white units.
>
> It is directed that Negro personnel, who apply for enlistment, continue to be processed through unit enlistment committees the same as white applicants, and, if accepted, they may be notified that upon receipt of a change in policy by the Department of the Army, the oath will be promptly administered and the enlistment completed.

Secret Order

This was a secret order until February 1, when a reporter for the Newark *Evening News* obtained a copy and published it that day. Governor Driscoll received a copy of this issue soon after its appearance and went into immediate action. Within a few minutes he had called to the attention of the National Guard that "all State agencies and departments are required to observe the letter and spirit of the State Constitution." He also directed that any order of the Department of the Army against mixed units be "ignored."

The reply of the then Secretary of the Army Kenneth C. Royall on February 9, 1948, was a Driscoll victory. "I recognize," Royall wrote, "the importance to a soverign state of a constitutional provision such as yours, and I have determined that for the present, Army militia units of New Jersey, if otherwise qualified, will not be denied Federal recognition on the ground of non-segregation."

After this equitable solution of the question of segregation in National Guard units, Governor Driscoll turned his attention to the school question. He directed the Department of Education to make a survey, and when he found that the results confirmed the major points previously brought out in the NAACP report, he promptly went into action. He ordered that all conditions which violated the constitutional provisions of full equality be corrected as of September 1, 1948, or that school districts not conforming would be denied state funds. Since there was never cause for the imposition of such drastic punishment, it stands as proof and commentary upon the effectiveness of the Governor's executive action.

Early in 1948 the Joint Council on Civil Liberties, one of whose cooperating organizations was the NAACP, proposed a full civil-rights law, with enforcement to be placed in a state agency. It was not designed to remove the present civil and criminal remedies but to provide an alternative remedy. Any aggrieved person, alleging racial or religious discrimination in *any* particular situation, could without cost file a complaint with the Division Against Discrimination, an agency of the Department of Education. Two members of the NAACP, Herbert H. Tate, council chairman, and J. Mercer Burrell, helped write the proposed law. Public hearings were held on the bill, introduced by assemblywoman Grace M. Freeman, in August of 1948 and it was passed by the assembly.

Meanwhile, the heavy schedule followed by Governor Driscoll had sapped his strength, forcing him to undergo an operation, and he was therefore absent from Trenton for a long while recovering his health. Without his aid the bill died in the senate caucus. However, the governor's reaction upon his return to duty was prompt. In his annual message to the legislature in January, 1949, he urged adoption of the Freeman Civil-Rights Bill. The bill was passed and in May of this year Governor Driscoll signed the bill into law, thus completing his pledge of "full citizenship."

It had required great personal courage on Governor Driscoll's part to obtain these objectives. And surprisingly enough most opposition did not come from selfish pressure groups but was found in those circles which habitually urge caution in matters of racial reform. They thought his program might be misunderstood or that it should be prefaced with a "complete educational program." This was advice not lightly to be tossed aside, but it was answered by Governor Driscoll in these words:

> The average man is honest and decent. He believes in America and our democracy. Scratch their surface and you will find few with the germ of bigotry and intolerance in their blood. They stand for fair play and a square deal for all. I am convinced that New Jersey citizens will not oppose this humanitarian program.

Despite the opposition of the "gradualists" there were many legislators and delegates to the constitutional convention, as well as many civic and social leaders, who warmly applauded the governor's program for human decency.

Sympathy with this program designed to give full citizenship to a minority people did not stem solely

(*Continued on page* 284)

Mission of the Brazilian Negro Experimental Theater

By Abdias Nascimento

Purpose of the Negro Experimental Theater, explains its founder-president, is to channel the persistent religious and dramatic traditions of Brazilian Negroes into a constructive social program

DESPITE its name the Negro experimental Theatre is not just a theatrical organization with artistic goals. It is much more than that. It is a social movement which has grown out of the present social and economic conditions of Brazilians of color. Its general aims are to raise their cultural level and to enhance their individual worth. Although the associative spirit is certainly not innate, it is still much more likely to be a characteristic of enlightened groups on a higher cultural level than an attribute of the masses. This is why it has been rather difficult, as observations of Brazilian life would suggest, to get men and women to work together cooperatively for definite social goals.

At the very start of our undertaking we recognized that the problem with which we had to deal demanded use of an attractive sociological tactic, or at least some sort of non-idealistic action with a dash of ideology, that would be obvious and readily adaptable to the psycho-social patterns which we were attempting to change. As a matter of fact, study of the experiences of the associations[1] organized by Brazilians of color teach the lesson that the majority failed precisely because they lacked what might be called, in place of a better term, "the sociological attitude." Some were born of revolt and organized merely to fight (by means of direct action) against injustice and color discrimination. But instead of solving they merely intensified the problems of a large segment of the Brazilian people. At the other end are those groups which were inspired by political considerations (sometimes legitimate, but often not) and which have almost always been the handmaidens of private interests. Thus in one way or another the life of such associations has been ephemeral, or they led such a precarious existence that they produced nothing of positive value; except, perhaps, a momentary diversion.

How explain this? Why was it that these organizations either disappeared or lost whatever effectiveness they might have had without leaving any tangible benefits, as so many of them did despite their noble aims and practical goals, even when guided by execptional men? My own idea is that (and the facts support my point of view) though their goals were often correctly fixed the means selected to attain them were inadequate.

This is a commonplace phenomenon in the life of every group and individual. In order to fix our goals, we must at the same time be sure of the effectiveness of the means we are going to use to achieve them. A valid conclusion, therefore, is that the leaders responsible for organizing these groups had more skill at comprehension than ability for achievement. Every social movement, however, has to consider the unavoidable question of means and ends, since they are inseperable.

Therefore the Negro Experimental Theater addressed itself to the problem of means. This was our field of psychological polarization to be used as a base for a far-reaching social movement. Because of the low cultural and educational status of the mass of colored Brazilians, they can never be organized through the appeal of a purely abstract program. They must be organized through the magnetic appeal of their religious and recreational interests. We already have these handy in the *terreiros*[2] and samba schools,[3]

Courtesy G. Schuyler

ABDIAS NASCIMENTO, *founder-president of the Brazilian Negro Experimental Theater and editor of its official organ,* Quilombo.

1. Among such associations have been the *Civic Center of Palmares* (1920-26), the *Brazilian Negro Front* (1931-37), the *May 13th Club, November 15th* Club, and many others. (Translator's note)

2. *Terreiro* has various acceptations: place where an Afro-Brazilian fetishistic cult ceremony is held, the ceremony itself, or the temple grounds of such a cult. Here it refers to the cult and its ceremony. African in origin, these religious societies are vigorous and intimate parts of the lives of thousands of Brazilians of color. Common name for them in Bahia is *candomblé,* but they are known under different names in other parts of the country. For a good non-technical explanation of the *candomblés* of Bahia, consult Edison Carneiro's "The Structure of African Cults in

Negro institutions of great vitality and with such deep roots that they might be called telluric. Hence our conclusion that we can unite people of color, in the mass, only through manipulation of those *paideumatic* [Leo Frobenius' term for the "soul of a culture"] survivals in Brazilian society, and these are to be found, it so happens, in our persistent African cultural elements.

The mentality of our colored population is still pre-literate and prelogical; learned and logical social techniques, concepts, and ideas are yet to be realized. The Catholic Church understood this and during the colonial period the success of its missions was based on this truth. Successful organization of the Negro masses cannot, therefore, be based upon ivory-tower thinking. It demands utilization of their natural mode of life, with a certain morphological awareness, in conjunction with sociological direction.

It is with this kind of explanation that I wish to point out that the Negro Experimental Theater is neither a political organization nor a simple art group. It is a psycho-sociological experiment whose aim is to gradually raise the level of deportment of Brazilian Negroes up to those standards prevailing in Brazilian middle and upper-class life. This has been the function of the Negro Experimental Theater.

Since its founding in 1944, it has established schools for instruction in reading and writing and has started cultural programs with the help of such illustrious intellectuals as professors William Rex Crawford [author of *A Century of Latin-American Thought* (1944)], at one time cultural attaché to the American Embassy in Rio; José Carlos Lisbôa, of the University of Brazil; Santa Rosa, and Willi Keller; writers like Raimundo Souza Dantas, Guerreiro Ramos, José Francisco Coelho, Maria Yed Leite, Ironides Rodrigues, and many other notable figures.

We have produced three of the Negro plays of Eugene O'Neill[4], under

QUILOMBO Página 7

TEATRO EXPERIMENTAL DO NEGRO

Breve história dessa importante realização artística e cultural — Suas próximas produções : "Aruanda", "Don Perlimplin e Belisa", "Caligula", "O Caminho da Cruz" e "Mulato"

Marina Gonçalves como "Miss. Harris" em "Todos os filhos de Deus tem asas", de O Neill

Fundado em fins de 1944 por Abdias Nascimento, com o apoio de varias pessôas brancas e pretas, o Teatro Experimental do Negro, ao firmou, desde sua estréia no Teatro Municipal, a 8 de maio do ano seguinte, como elemento novo e forte em nosso mundo artistico. A interpretação de Aguinaldo Camargo no papel de "Imperador Jones" de Eugene O Neill, na estréia, inspirou-se Ricardo Werneck de

que também colaborou na direção do espetáculo.

ALFABETIZAÇÃO E CULTURA

O T. E. N. mantem, em salas cedidas pela União Nacional de Estudantes, varias aulas de alfabetização, sob a cheffa da professor Ironides Rodrigues. Cerca de setecentos alunos frequentaram esse curso, interrompido, infelizmente, por falta de local

desses cursos já foram escolhidas Maria Apparecida Marques, professora publica e locutora de radio, em 1945, e Mercedes Batista, do corpo de baile do Municipal, no corrente ano. "A Rainha de Para de 46" foi a atriz Maria Teresa. Para escolher esses concursos, o T. E. N. promoveu bailes nos salões do Clube Bolsa-fogo e High Life, e o apoio do Snr. Carillo Hoche, lider esportivo, e da Rainha Paschoal Segreto, com o snr. Domingos Segreto e Lenite, deste ser registrados com alegria, pois ambos nos dão o testemunho de que a grandiosidade e colaboração desinteressada, ainda é possivel entre os homens.

"ARUANDA" E "DON PERLIMPLIN e BELISA"

No proximo dia 31 de dezembro, o T. E. N. deverá apresentar no Ginásio duas peças : "Aruanda", lançando um novo autor nacional, o snr. Joaquim Ribeiro, que em 1946, ocorreu o primeiro original especialmente para esse grupo. Trata-se, em linhas gerais do conflito cultural e psicológico de uma quinta que, não acostumando na macumba é fortalmente arraigada a doença, acaba pedindo por um exito dos candomblés. "Aruanda" — o titulo é "Cangaceiro". O ritmo da peça é todo ele impregnado de musicas, de "pontos" e danças sotericas. Passa-se na Bahia, num povoado lá das bandas do rio Vermelho. Ruth de Souza fará a personagem de forte dramaticidade de "Tia Sefa". Abdias estará o "filho de santo Gueldi", e para o papel de "Rosa Mulata" estão sendo cogitados três nomes : Mercedes Batista, Nazinha e Renda "Boa João" estreará para

Claudiano Filho estreará em "Aruanda"

CAMUS AO T. E. N.

Paris, 18 de Março de 1948

Abdias Nascimento

Rua Arlur Bernardes, 48 apartamento 204

Rio de Janeiro — Brasil

Senhor :

Encarregado da correspondencia do snr. Albert Camus, que se acha ausente, transmito-lhe a carta que haveis enviado. Ele deu-me a resposta que passo ao vosso conhecimento. O Snr. Camus ficou muito sensibilizado com o vosso interesse pelo seu "Caligula" e sentirá o maior prazer em ver esta e outras peças

O' NEILL AO T. E. N.

6 de Dezembro de 1944

Meu prezado Snr. Nascimento :

Sua carta de 8 de novembro atravessou-se grandemente no caminho e não me chegou em São Francisco senão antes. Perdoe-me por esta demora. Não é minha culpa.

Dou-lhe minha permissão para montar "O Imperador Jones" sem qualquer pagamento a mim, e quero desejar-lhe todo o sucesso que você espera para o seu "Teatro Experimental do Negro". Conheço muito bem as condições que você descreve do teatro brasileiro. Tivemos as mesmas condições no nosso teatro antes que "O Imperador Jones" fosse representado em New York em 1920 — qualquer parte de responsabilidade era sempre desempenhada por atores brancos pintados de preto. Isto, naturalmente, não se aplicava à comédia musical ou ao teatro da variedade, onde os pouquissimos negros conseguiram alcançar grande sucesso. Depois de "O Imperador Jones", representado originalmente por Charles Gilpin e mais tarde por Paul Robeson, fazer um grande sucesso, o caminho estava aberto para o negro representar drama sério em nosso teatro. O que dificulta agora é a falta de peças. Eu não sei se você acredita haverá dramaturgos negros de real mérito para escrever tais peças.

Em qualquer situação pode contar sempre comigo para cooperar com vocês porque desejo acima de tudo que o seu teatro tenha bom exito e longa vida.

Agradeço-lhe muito a gentileza do seu oferecimento de remeter-me os comentários sobre

HALF-PAGE *from* Quilombo *chronicling some of the recent activities of the Brazilian Negro Experimental Theater.*

the direction of the author of this article: *The Emperor Jones, All God's Chillun Got Wings,* and *The Dreamy Kid;* an original play, *The Prodigal Son,* written for us by Lucio Cardoso; two poetry recitals, one of the poems of Castro Alves[5]; the other, those of Cruz e Souza[6]. We have launched two new authors: Joaquim Ribeiro, with *Aruanda;* and José de Morais Pinho, with *Children of the Saint;* in addition to the *Auto da Noiva* of Rosario Fusco; thus inaugurating, so to speak, a Brazilian regionalism based upon the mythical beliefs and impulses of the Negro.

The Negro Experimental Theater is planning this year to participate in the bicentennial of the Aryan artist Goethe by producing one of his plays. We are also producing the *Caligula* of Albert Camus and the *Mulatto* of Langston Hughes, both now in rehearsal. Introducing domestics and humble workers, for example, to the theatrical stage, as well as putting the best Rio society and members of the Rio diplomatic corps[7] in touch with our festivities and social activities, is one of the major respon-

(*Continued on page* 283)

Bahia, *The Journal of American Folk-Lore,* Vol. 53, No. 210, pp. 271-278. (Translator's note)

3. Samba schools or *escolas de samba* are folk institutions which compose lyrics and perfect new samba steps for the carnival parade on the *Praça Onze* in Rio. "The Praca Onze," explains Dr. Arthur Ramos in *O Folk-Lore Negro do Brasil,* "is the frontier between Negro and white-European culture. It lacks precise boundaries, but it is wherever there is an inter-penetration of institutions and a mutual interchange of cultures." One of these samba schools, that of Rodrigues Alves, also wages a campaign against illiteracy. (Translator's note)

4. In a letter (December 6, 1944 to Sr. Nascimento, O'Neill wrote, in part: "I herewith give you permission to stage *The Emperor Jones* without any payment to me, and wish you all the success in the world for the Negro Experimental Theater. I am familiar with the conditions you describe in regard to the Brazilian theater. We had similar conditions in our own theater before *The Empeor Jones* was staged in New Yok in 1920—serious roles would always be played by white actors in black face, with the exception of musical comedy and vaudeville, where a few Negroes had achieved success. After the great success of *The Emperor Jones,* played originally by Charles Gilpin and later by Paul Robeson, the way was open for the Negro as a serious actor. Now the great difficulty is the lack of suitable plays. But I am expecting Negro dramatists of real merit to meet this need. In whatever situation you find yourself you may count on my cooperation. . . ." Role of Brutus Jones was played by the well-known Rio Negro lawyer, Aguinaldo Camargo. (Translator's note)

5. Antonio de Castro Alves (1847-1871) was called the "poet of the slaves." His two most famous anti-slavery poems are "Voices from Africa," called by the late Dr. Isaac Goldberg "the *Eli, Eli, lama sabachthani* of the black race," and "The Slave Ship." (Translator's note)

6. Joao da Cruz e Souza (1862-1898), a pure-blooded Negro, has been termed by the Brazilian critic Andrade Muricy "the major modern poet" of Brazil. Ignoring the problems of race, Cruz e Souza took refuge in a Baudelairian Satanism. His anniversary was celebrated in Brazil last November 24, 1948. (Translator's note)

7. At the festival held in the ballroom of the Botofogo de Futebol e Regates Club on May 13, 1948, following a beauty contest, NET got out such notables as the cultural attachés of the Argentine and Spanish embassies, representatives from the Venezuelean and Chilean embassies, and many notable writers and artists. (Translator's note)

Along the N.A.A.C.P. Battlefront

LEGAL

Barden Bill: Leslie Perry of the Washington bureau has renewed his charge that the Barden federal aid to education bill is "anti-Negro and wholly unacceptable to the NAACP." Mr. Perry participated in a round-table discussion at a meeting called by Chairman Lesinski (D.-Mich.) of the House Education and Labor Commitee, where the Barden bill is presently stalled.

The NAACP called for the enactment of the version of the federal aid to education bill passed by the Senate last spring, with "an amendment to prohibit racial segregation of pupils."

Pointing out that the bill allots federal money to the states without any safeguard for equitable distribution to Negro pupils, Mr. Perry revealed that Congressman Graham Barden (D.-N.C.), sponsor of the controversial bill and chairman of the committee holding hearings on it, refused to allow the NAACP an opportunity to testify in opposition to it.

Birmingham Racial Zoning: Continuing its campaign for abolition of local racial zoning laws following the bombing of two Negro ministers' homes in an area zoned exclusively for white residence, the Birmingham, Alabama, branch wired Governor James E. Folsom urging that "the prestige of your office be mobilized in the direction of bringing harmony and peace in the Birmingham zoning dispute within the framework of the federal courts."

During the past ten days, wires insisting upon "recognition of the unconstitutionally of all racial zoning laws" and asserting that the NAACP "will settle for nothing less than total abolition of all racial zoning," have been dispatched by A. C. Maclin, president of the Birmingham branch, and J. J. Green, chairman of the executive committee of the branch, to the following state and city officials, in addition to Governor Folsom: James Morgan, Birmingham Commissioner of Public Improvements; Cooper Green, president of the City Commision; Eugene Connor, Commisioner of Public Safety; and A. P. Carmichael, State Attorney General. Investigations of the bombings were urged of Sheriff Holt McDowell of the Jefferson County Court House, Birmingham and of the United States Department of Justice.

Charging that a "vile campaign of hostility and intimidation" is being conducted against Attorney Arthur D. Shores for his work in the Association's fight against the zoning laws, the branch also wired to the Birmingham City Commission its protest against the "persecution and bitter atacks and personal assaults" leveled against the NAACP attorney.

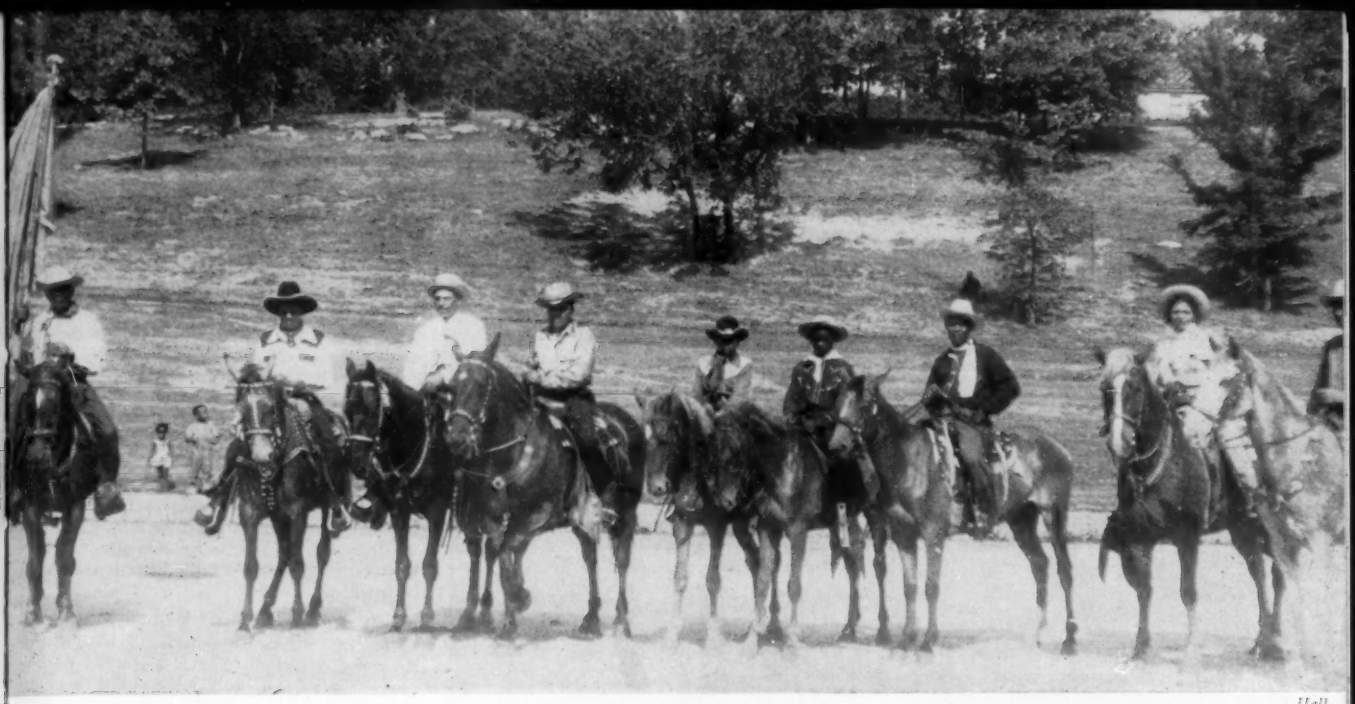
RECREATIONAL

Park Bias: Secretary of the Interior Julius A. Krug has assured Roy Wilkins acting secretary, that "non-segregation remains the firm policy of the National Park Service and the Interior Department" and that "there will be no backward steps of any sort" in the administration of swimming pools and other recreational areas in the District of Columbia.

In response to a wire sent by Mr. Wilkins on July 5, protesting the proposed transfer of the administration of these park areas from the Interior Department to the D. C. Recreation Board, Secretary Krug stated firmly that "No assignments of park land will be offered to the District of Columbia Recreation Board without complete assurance and a clear stipulation that all areas now operating on a non-segregated basis would remain non-segregated." The NAACP had decried the contemplated transfer as a "surrender

WOMEN'S AUXILIARY *of the New Orleans, La., branch are shown checking the* 1949 *membership roll against that for* 1948 *in preparation for solicitation of lapsed memberships.*

Porter



Hall

THE HILL TOP RIDING CLUB, *a leading entry in the June 12 parade of the Kansas City, Mo., branch. The parade, which featured floats, decorated automobiles, and marching units, was given to boost the branch membership.*

to the forces of disorder and bigotry" after "bands of white hoodlums" rioted against Negroes at the Anacostia Park swimming pool in Washington.

Mr. Krug indicated that the Anacostia Park pool, "closed when it appeared that its continued operation would result in further and possibly more serious disorders," will be reopened soon. "We shall make every possible effort," the Interior Department official promised, "to insure that the majority of citizens anxious to make use of our public recreation facilities may do so without either mob interference or surrender to vicious prejudice."

EMPLOYMENT

Saizan Case: An offer of employment as a clerk in the New Orleans post office, with seniority dating from the time he was the victim of discrimination in 1946, was recommended for Paul M. Saizan, a disabled veteran, by the President's Fair Employment Board. Officials of the post office have advised the NAACP that they anticipate compliance with the Board's recommendations, which otherwise are subject to enforcement by President Truman.

Mr. Saizan, wounded in a mine explosion during the Italian campaign, is now working in the railway mail service. The transfer to the post office would give him approximately two years of seniority. In his case, the

Ransom

STOP THE MUSIC WINNER, *Mrs. Julia Herbert of Philadelphia, Pa., is shown taking out a life membership in the NAACP as she presents her check to the Philadelphia branch. She feels that her contribution is the best investment that can be made for the future since her good fortune last April. Receiving the check is Mrs. J. Flossie Reddick, membership secretary of the Philadelphia branch; looking on are (L to R) Father Jesse Anderson, campaign chairman; George Morris and Mrs. Viola Allen, both district directors in the campaign; and Rev. Theodore Lewis, branch president.*

Acme

FEMININE SPECTATORS *at the anti-Communists riots in Peekskill, N. Y., on September 4. Other members of the mob went further and hurled rocks at cars and busses carrying concertgoers from the concert. More than 145 persons were injured during the melee and at least 30 were treated at Peekskill hospital.*

Board said, "On a review of their records, it does not appear that the eligible selected was superior to Mr. Saizan in practical qualifying civilian experience and army service. . . . No adequate reason was given for passing over Mr. Saizan."

While expressing pleasure over the victory in Mr. Saizan's case, Clarence Mitchell, NAACP labor secretary, sharply criticized the Board for not making a finding of discrimination in fourteen other cases presented at a hearing along with Mr. Saizan's complaint by Mr. Mitchell and two representatives of the National Alliance of Postal Employees, William Jason and Arthur J. Chapital, on June 28. All of these complainants are veterans except one. Eight are now working in the post office department, but two of these have only temporary employment. Those with permanent appointments are working in the railway mail service and the post office in Los Angeles, California.

What the Branches Are Doing

CALIFORNIA: A university chapter of the NAACP has been organized on the campus of the UNIVERSITY OF CALIFORNIA at Berkeley. Founded in May by Charles L. Turner, a graduate student in political science, the chapter received its charter in June from the national office.

Officers elected for 1949 are James Clark, president; Edward Parnell, vice-president; Cecil Jones, treasurer; and Caroline Southard, secretary.

DISTRICT OF COLUMBIA: Clear evidence of discrimination in public education is set forth in the "Report of a Survey of the Public Schools of the District of Columbia," edited by George Strayer. The evidence of discrimination by race falls in certain broad areas: general inadequacy of school buildings, including their sites; over-crowded classes; and insufficient number of teachers, together with restricted curriculum and opportunities. These discrepancies between the education afforded white children in Divisions 1-9 and Negro children in Divisions 10-13 occur consistently on every level of education from kindergarten through high school.

NEW JERSEY: In BERGEN COUNTY a special committee headed by Ida Davis of Teaneck sponsored a cocktail party on July 23 for the purpose of raising funds for the 40th anniversary of the NAACP. Checks totaling $125 were sent to the national office as result of this entertainment. In addition to Miss Davis there were Mrs. Cora G. Flowers, Mr. and Mrs. Charles Roberts, Mr. and Mrs. Louis Weber, Esther Stuart, Lawrence Kelly, A. David Rice, and Michael Charney.

According to a ruling made in August by state commissioner of education John H. Bosshart, racial segregation on New Jersey school trips is illegal. In a notice to all local school superintendents and principals, Dr. Bosshart said:

"It is my opinion that it is illegal for the Board of Education to take members of the senior class or any other class on any trip within or outside of New Jersey if pupils are segregated because of religious principles, race, color, ancestry or national origin."

Senior class trips to Washington are customary in many New Jersey high schools. Trips will be permitted so long as it is not necessary to segregate pupils at hotels or eating places.

NEW YORK: The BRONX branch has protested against the discriminatory dismissal of six Negro addressograph operators and their replacement by six whites in the district office, Veterans Administration, 346 Broadway, New York City. The six Negroes were dismissed despite the fact that they are World War II veterans and had obtained civil-service examination grades higher than those received by many of the employees who were retained in employment.

OHIO: The CINCINNATI branch has announced a plan for the conducting of voting schools in different areas of the city. A survey of ballots cast during the last election revealed as many as fifteen percent as invalid. This is the reason the branch feels it necessary to conduct a voting school.

VIRGINIA: Report of workers in the membership drive of the ROANOKE branch, with the "Reds" led by Richard Birkes and the "Blues" by Lloyd Ziegler, is as follows: Walter Rose, $5; Mrs. Mary Law, $5; Earl Reynolds, $8; Byron Smith, $8; Mrs. Lucy Poindexter, $10; Mrs. LeGrande, $10; Nancy Harber, $16; Ashby Taylor, $20; Bennie Reynolds, $26; Fred

Brown, $46; Walter Muse, $30; Mrs. Pearl Henry, $32; Mrs. Bernice Jordan, $42; Feasie Wilson, $60; Rev. James R. Johnson, Jr., $63; Joseph Fukker, $76; Lloyd Ziegler, $104; Richard Birkes, $112; Edward Norman, $152; C. C. Williams, $170; Justine Spencer, $262.

What the Regions Are Doing

SOUTHWEST: Roy Wilkins, acting secretary of the NAACP, was featured speaker at the thirteenth annual convention of the Texas State NAACP in WACO, September 16-18. Mr. Wilkins addressed the closing mass meeting of the three-day confab on Sunday, September 18, at the Second Baptist church, 1215 South Second Street.

State secretary Maceo Smith, in commenting on Mr. Wilkin's visit, inferred a special significance:

"It was clear at the recent 40th Annual NAACP Convention in Los Angeles," stated Mr. Smith, "that the entire country regards the Southwest as the area where the key battles for civil rights are taking place. Mr. Wilkins himself acknowledges this and expressed eagerness to come to our conference to speak to us and counsel with us. We invite all to attend our closing Sunday meeting to hear Mr. Wilkins, admission free. He is a great speaker, as those of us fortunate enough to have heard his keynote address at the Convention in Los Angeles will testify."

Theme of the Conference was "Rounding Out Our 10-Year Civil Rights Plan," a program adopted at the Corpus Christi Conference in 1940 which called for defeat of the Democratic White Primary system, defeat of segregation in education and abrogation of Texas's jim crow laws.

Prominently programmed along with Mr. Wilkins was Heman Marion Sweatt, the famous "Sweatt Case" plaintiff seeking entry to the University of Texas law school; and Dr. Lonnie E. Smith, Houston dentist whose court suit broke the back of the white primary. Mr. Smith and Mr. Sweatt received merit awards from the State Conference, the presentations being made by Attorney W. J. Durham, Dallas, local counsel in both cases.

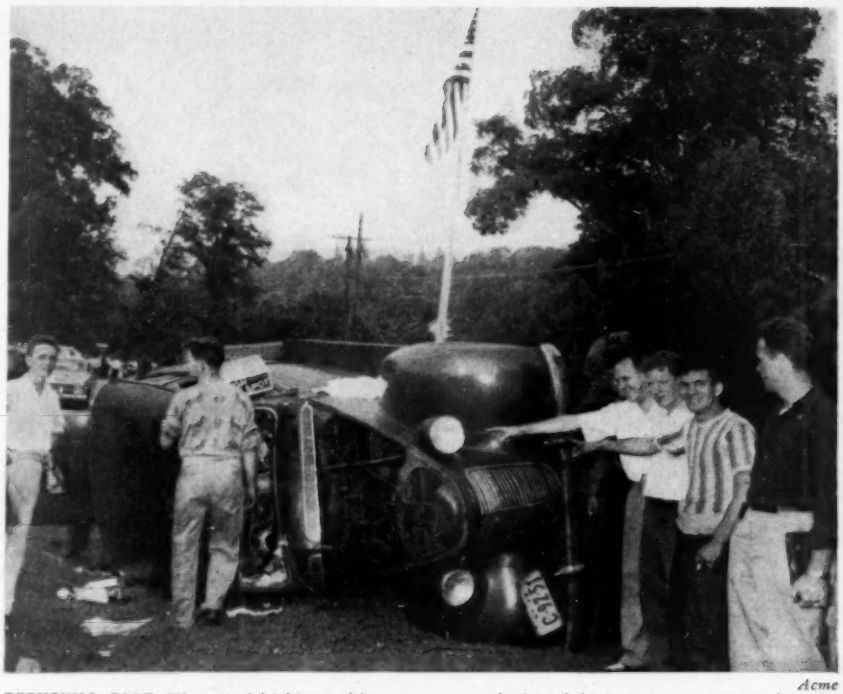
AUSTIN, TEXAS: Another thrilling page of history was written when on August 19 Dr. Theophilus S. Painter, president of the University of Texas, notified a Negro youth by letter that his application for admission to the University of Texas medical school had been "received, processed and evaluated" and that as a result, the young man would be accepted in the medical school when it opened next month.

The youth is Herman Barnett, 23, graduated last June with honors from Samuel Huston college here. He is a native of Lockhart, a few miles distant from Austin, and is an ex-soldier who served as pilot in the Army Air Corps. Mr. Barnett was among the forty-one Negro students who made mass application to the University of Texas on April 27. Manual application having been refused, Mr. Barnett submitted his application to the dean of the UT Medical School by mail May 11, and it was this presentation which was favorably acted upon.

Still stubbornly declining to concede that a Negro was really becoming a member of the medical school student body, the University of Texas has adopted the ostrich-like maneuver of insisting that Mr. Barnett register at Texas State University for Negroes at Houston and thus become a student of that institution, after which he is to be admitted to the medical school at Galveston as a contract student.

Speculation is rife as to what effect Mr. Barnett's acceptance will have on the Sweatt case, soon to go before the U. S. Supreme Court on the issue of whether or not Heman Marion Sweatt of Houston can further be denied admission to the University of Texas school of law. At Dallas, Donald Jones, NAACP regional secretary, registered the opinion that "it is difficult to see how denial of Mr. Sweatt to study law in the University of Texas school of law can long stand up against the accomplished fact of Mr. Barnett's admission to the medical school, a branch of the university.

"To all intents and purposes," Jones went on, "any logical denial of Mr. Sweatt has been

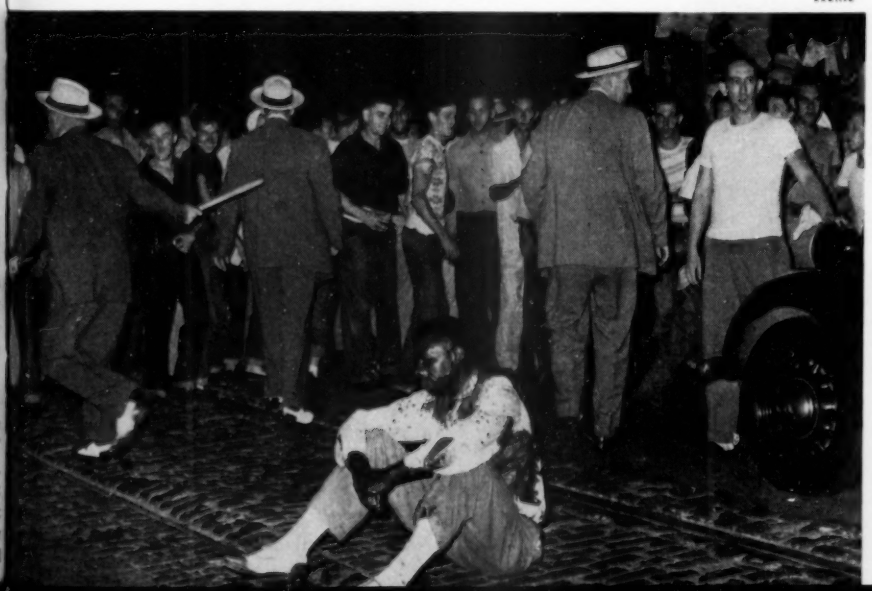


Acme

PEEKSKILL RIOT—*The windshield of this car was smashed and it was overturned during the violence that broke out following a concert by Paul Robeson.*

BEATEN AND BLOODY, *this man sits in the middle of the street while police check members of the mob which attacked and stoned him during a race riot on June 21 at a swimming pool in St. Louis, Mo.*

Acme



Osibin

EXECUTIVE COMMITTEE, *for the summer, of the University chapter of the NAACP at Berkeley, California. Seated from left to right are Siegfried Hess, acting treasurer; Doretha Daniela, co-chairman membership committee; John Turner, chairman executive committee; Yo Ukita, chairwoman program and research committee; and Lora Heims, acting secretary. Not shown are Isaac Jones and Willard Osibin.*

invalidated by the admission of Mr. Barnett. Both men are Negroes, and if a segregated pattern is relaxed for one simply because it is financially inexpedient to enjoin it, then there exists no reasonable and just grounds why the pattern should not be relaxed for the other.

"On the Beam" With Youth Councils

THE ELIMINATION OF SEGREGATION IN EAST CHICAGO THEATERS. Early in the month of September, 1948, the East Chicago youth council voted unanimously to take definite action in eliminating segregation in the theaters of East Chicago. This action was to be divided into three major categories: arbitration, legal action and picketing.

Immediately after meeting with the youth committee of the senior branch, actual contact was made with the owners of the five theaters by correspondence and arbitration. The results with the various theaters were as follows:

The owner of the American and Broadway theatres admitted segregating his patrons in regard to color at the American theater. He refused to do anything to correct this condition until the other theaters took definite action to abolish this insult to Negroes.

The Broadway theater, with 90 per cent of its customers belonging to minority groups, has never been segregated.

The owner of the Garden Theater never answered our correspondence and was always too busy to arbitrate.

The Vic and Indiana theaters belong to a chain of theaters, operating mainly in Hammond, Whiting, and East Chicago. The district manager of this chain declared that such a word as "segregation" never existed in his vocabulary. He explained that the patrons were seated in the Indiana theater in regard to the "sound accustics" and not to color. Strangely enough they believed that the sound accustics were better for Negroes on the far right-hand side of this theater.

When told that such remarks and explanations were an insult to the intelligence of colored people and that if such conditions were not immediately corrected, legal action would be taken, the management then welcomed colored people to sit anywhere they wished, thus bringing to an end twenty years of strict segregation at the Indiana theater.

The Vic theater of the same chain still refused to discontinue segregation at this time.

On December 8, 1948, two youth council members were refused admission to the left hand side of the Vic theater because of their color.

On January 5, 1949, the owner of the American theater met with a committee appointed by the youth council. A compromise was offered to the youth council. If they would call off the pickets the theater would allow colored to sit in 80 per cent of the theater seats, leaving the remaining 20 per cent for those whites who refused to sit wih he colored. To his outrageous proposal we promptly announced that as long as one seat in the theater was segregated we would continue to walk.

Deeply angered by our statement, the owner boasted that he would start showing Spanish pictures at the American and show colored movies at the non-segregated Broadway theater, still keeping the Negro trade.

In answer to this boast pickets began walking in front of the Broadway theater the following day. So successful was this move that the total income of the Broadway theater for the first night did not exceed ten dollars. The next night the Broadway ceased showing English speaking pictures, replacing them with Spanish films.

To counteract this move the pickets at the Broadway theater wore Spanish placards and distributed over four thousand Spanish leaflets, explaining the situation, at the doors.

On January 29, 1949, the owner again called the committee, this time to announce that all forms of segregation in the American theater would immediately be abolished. This brought to an end six weeks of continuous picketing at this theater, through three successive cold waves, with temperatures falling near and below zero.

Two weeks before the American theater discontinued segregation the Garden theater made a public announcement that the policy of the theater had been changed from strict segregation to a non-segregational policy.

By the first of February, 1949, the Vic theater was the only theater still segregating in East Chicago. Legal suits had been filed against this theater by two of the youth council members, Wendell Campbell and Charles Brown. By February 7, 1949, the deadline set for the return of the affidavits, the Vic

AN ENTRY *in the June 12 parade of the Kansas City, Mo., branch. Front seat (L to R); J. R. Lillard and Clarence Owens; rear seat: Richard Tillman, Jr., and Horatio Davis, parade marshall.*

Hall

theater had discontinued segregaiton and the pickets were removed. On February 8, the attorney for the Vic theater asked for a settlement of the law suits out of court. The results of the settlement were that both parties, the theater and the youth council, would make public statements to the effect that in the future people of all races, creeds and colors would be treated with courtesy and equality at the Vic theater, and a public dismissal of the cases in court under the same conditions as stated above.

On February 8, 1949, all citizens were allowed to sit wherever they chose in the theaters of East Chicago. Negroes were allowed to sit unmolested in all parts of the theaters of East Chicago without fear of embarassment for the first time since 1928.

NEWS CAPSULES FROM YOUTH COUNCILS: CAMBRIDGE, OHIO, had a "Miss NAACP Youth Council" popularity contest which was climaxed with a sweethearts' ball and coronation on March 17. Three youth council members are representatives on the Cambridge committee for FEPC. Delegates were sent to the youth legislative conference in Washington.

CINCINNATI, OHIO, has four active councils. A plan is being worked out for inter-council cooperation in the Queen City.

The Ike Smalls award winner in 1948, the Dayton, Ohio, youth council, it is reported, worked long and hard to clean, paint and redecorate the basement of their adviser's home for their Valentine's Day ball. All who attended had a swell time in the Blue Room. The youth council had a swimming and theater party. Their education committee is investigating discrimination in local schools.

THE MILWAUKKE, WISCONSIN, YOUTH COUNCIL is concerned about the failure of young Negroes to remain in school until graduation.

"The Council feels that it is necessary to learn the facts about our young people, their aspirations, and their achievements. We want to be the coordinating unit in our community which can reach young people and aid them in their efforts to become adequately trained and correctly placed in employment. To do this, the council has planned a year's project which includes securing facts from schools, high school graduates and social agencies.

"We will study the efforts nationally which relate to fair employment, equal educational opportunities, and labor legislation. Our year's program includes recreation, but that will be in line with our goal to reach and inspire all young people to have the courage to prepare for a better future."

NEW HOME OFFICE *of the Golden State Mutual Life Insurance Company of Los Angeles, California. Designed by the famous architect Paul Williams, the building is located at Adams Boulevard at Western Avenue and was constructed at a cost of* $956,000, *furnishings and equipment not included. The building has an auditorium seating* 400, *an employee cafeteria, a lounge, medical laboratory, library, auto-park, a public address system, and a Seeburg Music System which plays music intermittently during working hours. Artists Hale Woodruff and Charles Alston painted murals portraying the history of the Negro in California and these are located in the lobby along with a bronze bust of the company's founder, the late William Nickerson, Jr. The bust was done by sculptor Richmond Barthé. George A. Beavers, Jr., is chairman of the board of directors and Norman O. Houston is president.*

EVELYN LUCAS *set up her membership desk on the corner of* 18*th and Vine to receive memberships during the membership drive of the Kansas City, Mo., branch.*

Book Reviews

THE JAPANESE EVACUATION

***Americans Betrayed:* Politics and the Japanese Evacuation. By Morton Grodzins. Chicago: The University of Chicago Press, 1949. XVII+445pp. $5.00.**

Those of us who want to see something better in the way of human relations than man-

Hall

kind has evolved would do well to read Morton Grodzins' comprehensive analysis of the evacuation of Japanese-Americans from the West Coast in 1942, *Americans Betrayed.*

If it does nothing else, this analysis proves once again the need for large scale social action in a democracy. By describing closely the actions and words of numerous officials and organizational leaders (both the big and little people) the author shows that there were many more demanding a mass evacuation than opposing it.

Half the people did not expect it to happen because it was unconstitutional, and the other half was apathetic as usual. However, the real danger lay in the widespread public belief in the lies about Japanese sabotage at Pearl Harbor. And the same thing was expected on the West Coast.

Americans Betrayed is a good political textbook not only for those who work in the field of race relations and political action, but for the ordinary citizen who should know how political decisions are made affecting human lives and welfare. As far as general conclusions are concerned they are already known to those interested in the subject: That powerful industrial and agricultural forces started the whole movement, that West Coast congressmen were at first alone in their demands, except for a few Southerners, and that gradually local and state officials fell in line as the movement gained momentum. Attorney General Warren (now Governor Warren) is the author's prize exhibit of a public man who suddenly switched his "line."

The real value of this work is its full presentation of all sides of the picture, following exhaustive research through newspapers, magazines, letters, notes, and conversations with the people directly involved. Through this study we will long remember the fine stand taken by the Justice Department as well as the few important groups that did oppose the evacuation when it became imminent: church groups, civil liberties organizations, and the NAACP.

Had liberals been aware earlier, had the Japanese Americans been better organized and politically mature (which is a good deal to expect of a group whose average age is 21), had the people on the West Coast realized what was developing before they were overwhelmed by hysteria, there might never have been an evacuation.

The total effects of this mass movement are yet to be felt. Juvenile delinquency has become a problem among the Japanese in California since their return to the Coast; many families are still on relief and living in makeshift quarters; all this four years after their return and seven years after leaving their original homes. These are heartbreaking facts.

On the other hand, the Nisei (second generation Japanese who are citizens) have rapidly come of age politically and have promoted themselves into the status of a "major minority group." Those who moved to other parts of the country, to the Middle West and the East, have had much better deals than they ever could have had on the West Coast. These are the good features.

Grodzins did not intend to show the sociological implications of the evacuation, or its effect upon the people involved though his sympathy is with them. He deals with the subject in its relation to government and the policy-making process. To him more important than the short-run effect on 120,000 people, was the long-run effect on all Americans. The event was less important "as a crisis program than as a permanent legacy of governmental action," less important as a "historical incident than as a legal precedent," and less important "as a policy of government than as a demonstration of the policy-making process."

INA SUGIHARA

WILLIAM HOWARD, *Fulbright scholar 1949-50 at the University of Glasgow, Scotland* (*See page* 264).

RELIGIOUS SURVIVALS

Candomblés da Bahia [Afro-Brazilian Religious Societies of Bahia]. Por Edison Carneiro. Bahia: Publicaçoes do Museu do Estado, No. 8, 1948. 140pp.

This little book presents in popular form the fruit of many years of research on the part of its author, the well-known anthropologist and journalist, Edison de Souza Carneiro. Certainly if anyone is equipped to write a popular survey of the Afro-Brazilian religion of Bahia, Sr. Carneiro is. For years he has studied the *candomblés,* was active in the formation of the Union of Afro-Brazilian Sects of Bahia, and has authored two technical studies of the subject, *Religioes Negras* (1936) and *Negros Bantus* (1937). He is a native of Bahia and son of the noted scholar and writer Dr. Antonio Joachim de Souza Carneiro, author, among dozens of other books, of *African Myths in Brazil.*

It is impossible in a review to go into detail on the *canlomblés;* but this rough outline, I hope, will suffice. The *candomblés* of Bahia are of Slave Coast origin, chiefly Yoruba and Ewe. They represent survivals of West African religious beliefs fused with Catholicism and the magico-religious patterns of the Brazilian indigenes. They are really like independent churches, each led by a specialist who serves as an intermediary between man and the gods. There is an elaborate pantheon, African in origin but frequently identified with saints of the Catholic Church, with a supreme being and many minor deities known as orishas, usually personifications of aspects of nature. Complete authority is invested in the priesthood, consisting either of a father or mother of the saint; but in Bahia they are generally women, mothers-of-the-saint. There are also devotees consecrated to the orishas and known as sons or daughters of the saint, but as with the priesthood they are chiefly women.

There are ceremonial houses or temples known as *terreiros;* guardians or protectors of the temples known as *organs;* a holy of holies with its altar; ceremonial procedures and rituals; initiation ceremonies for sons and daughters of the saints; animal sacrifices, songs, dances, and a sacred language, usually Nago; and particular days devoted to religious ceremonies.

Oldest of these religious organizations in Bahia, according to the author, is the Candomblé do Engenho Velho, founded in 1830 by three Negro women from the Slave Coast. "There are today about one hundred *candomblés* in Bahia; and, if we estimate an average of three hundred individuals in each, there are probably 30,000 adherents of the *candomblés* in a city of less than 400,000 inhabitants." Note, however, that the Brazilian census of 1940 gives Bahia or Sao Salvador only 290,443 inhabitants instead of our author's estimated 400,000. Of the sixty-seven organizations registered with the Union of Afro-Brazilian Sects of Bahia in 1937, thirty were of Sudanese origin; twenty-one Bantu; fifteen, Amerindian; and one, Afro-indigene.

All *candomblés* are located in outlying sections of the city, in the middle of the forest, or places difficult of access. Their members are usually blacks or dark mulattoes, and their daughters-of-the-saint generally come from the working classes, dressmakers, domestics, and sellers of cooked delicacies in the streets. Chief of the *candomblé,* however, almost never lives in the establishment, but in a private residence in the city.

The religion of the *candomblé* is a part of the daily round. "It is not a vague spiritual communion, symbolic and remote, as in Catholicism, nor simply a transient and accidental tie with the dead, as in spiritism. For the two worlds meet in the *candomblé.* In the *terreiro* the gods and the dead rub shoulders with the living. They hear their com-

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2319 Troost Avenue Kansas City, Missouri

plaints, give counsel, grant favors, mediate their quarrels, prescribe remedies for their ills, and console them in their sorrows. The celestial world is not far off and superior, and the believer can talk directly with his gods, thus profiting from their beneficence. This is the reason for the extraordinary vitality of the *candomblé* and explains why it has successfully resisted police terror and the alarmist campaigns of journalists."

The *Candomblés da Bahia* is solidly based on scholarship and written in a simple understandable style with a minimum of technical terms. It makes interesting reading for anthropologists and students of religion alike. There is a glossary of terms used in the *candomblé*, a list of famous mothers and fathers of the saints, and a brief bibliography of the Brazilian Negro. Illustrated from photographs and with drawings by Paulo Flores. There are musical transcriptions by Marshall Levins.

J. W. I.

TO THE AMERICAN NEGRO SOLDIERS

By Léopold Sédar Senghor

M. Senghor, who represents Senegal in the French Chamber of Deputies and whose anthology was reviewed by René Maran in the May issue of THE CRISIS. *published this tribute to the American Negro soldier in* Hosties noires *(Paris, Editions du Seuil,* 1948).

I did not recognize you at first, imprisoned in your tight-fitting uniforms the color of sadness.
I did not recognize you under the gourd of the unplumed helmet.
I did not recognize the tremulous quivering of your iron horses that drink but do not eat.
No longer do you ride the noble elephant, instead it is the barbaric heaviness of pre-historic monsters.
So resolute was your face that I did not recognize you.
I only felt the warmth of your brown hand, and I gave my name: "Africa!"
And I found once again the lost laughter, I greeted the age-old voice and the rumbling of the Congo Falls.
Brothers, I do not know whether it was you who bombarded the cathedrals, the pride of Europe,
Whether you were the lightning with which God has burned Sodom and Gomorrah.
No, you are the messengers of His mercy, the breath of spring after winter.
To those who had forgotten laughter —they used only a crooked smile—
To those who no longer knew anything but the salty savor of tears and the irritating odor of blood,
You bring the springtime of Peace and hope at the end of the vigil,
And their night is filled with milky sweetness, the blue fields of the sky are covered with flowers, the silence sings gently.
You bring them the sun. The air crackles with liquid whispers and crystalline chirping, and silky fluttering of wings.
The trees—cities in the sky—are warm with nests.
On the joyous streets, boys are playing with their dreams.
Men are dancing before their machines and are amazed to find themselves singing.
The eyelids of school girls are rose petals, fruits are ripening on virgin breasts
And the hips of women—oh! sweetness! —are bountifully growing heavy.
Black brothers, warriors whose lips are flowers that sing—Oh! the delight of surving winter!—I salute you as messengers of peace.

(Translated from the French by Vashti and Mercer Cook)

Acme

RIO DE JANEIRO'S *main street, the beautiful Avenida Rio Branco, named after one of Brazil's great statesmen.*

Experimental Theater

(Continued from page 275)

sibilities of Brazil and its national theater. Such stimulating occasions help in the development of personality and are opportunities which have been made available to Brazilian Negroes and mulattoes through the instrumentality of the Negro Experimental Theater.

And we are successfully giving social "valorization" to the eugenic riches of the black and mulatto woman through our annual *Boneca de Pixe* and *Rainha das Mulatas* contests.[8] It is in this way that we are carrying out a program for the development of popular appreciation of beauty and the exaltation of the best values in Brazilian civilization. We shall soon start the National Negro Institute as an organ of NET, along with a group-therapy school, offering courses in dancing, choral singing, and acting.

Such is the physiognomy and spirit of the Negro Experimental Theater. In fact, the Brazilian colored population, by virtue of its low cultural status, lacks the necessary preparation for a clear understanding of its own problems. The Experimental Theater proposes to be this indispensable instrument to help in the mental and psychological liberation of the Brazilian Negro.

(Translated from the Portuguese by James W. Ivy)

8. Winner of the *Boneca de Pixe* or beautiful black-woman contest in 1948 was 17-year-old Maria Teresa. Mercedes Batista, of the corps de ballet of the Municipal Theater, was elected *Queen of Mulatto Women* in 1948. The *boneca de pixe* is the "tar-baby" of Brazilian-Negro folk-lore and figures in a series involving the *jaboti* or Brazilian turtle. Only *pretas* or black women were eligible for the beautiful black woman contest. Even brown-skinned women were disbarred. (Translator's note)

Full Citzenship

(Continued from page 273)

from Governor Driscoll's activities in public life. It is of long duration. It really began in his home with the influence of his parents: deeply religious, considerate, fair and unprejudiced, they opposed the current thinking that the Negro should receive only the crumbs of American citizenship. Only his mother, Mrs. Alfred Robie Driscoll, is now living and she is a familiar figure to members of the Camden NAACP, of which she herself has been a long-time member. She is an ardent disciple of "full citizenship" and makes it known her in appearances at NAACP meetings. Not only has she shown her faith in this area, but she is likewise a founder and active member of the Camden County Intercultural Group whose membership includes all races and religions. This is the influence that so richly prepared Governor Driscoll for his able and forthright public championship of human-relations legislation in the state of New Jersey.

While Governor Driscoll honestly believes there is little opposition to his civil-rights program, there are others who do not. Just this past May when he was presented with a plaque of appreciation by the New Jersey NAACP Conference, Dr. U. S. Wiggins, a member of the NAACP national board of directors, reminded his audience:

> In the primary election, approximately 90,000 votes were cast against Governor Driscoll. It is my belief that the majority of those votes were a protest over what he has done for us. Knowing what this great and courageous man has accomplished for us, we should be proud to stand up and be counted. In this way, we can make up the deficit.

Governor Driscoll is again a candidate for re-election. His record stands on the statute books of New Jersey and in the altered and improved patterns of human relations in our state. Governor Driscoll has charted a course; it remains for our Negro citizens to cultivate the opportunities.

Foul Employment

(Continued from page 271)

Brotherhood of Railroad Trainmen, facing losses of job for their members because of streamlined trains, diesel engines, and competition of bus and air lines, began raiding or trying to drive off all the Negro train porters, who are really passenger brakemen on the head-end of the passenger trains, and have them replaced by white brotherhood members. They have tried this on the Santa Fe, the M-K-T, the Frisco, the Missouri Pacific and other roads.

Negro Trainporter (Brakeman)

The story of the Negro train porter is a story in itself and illustrates how the Negro has been exploited by railroad management as well as persecuted by white railroad labor which has refused to recognize the essential economic unity of interest between white and black workers in the same craft.

The Negro trainporter on the head end of the passenger trains does all the braking work, and in addition handles mail, baggage, takes care of the passengers and sweeps out the coaches en route; but because he is black, the railroads classify him as a "porter" and refuse to pay him even a brakeman's pay. During World War I while the railroads were under federal control the Negro trainporter was actually classed as a passenger brakeman and paid standard brakeman's pay. But when the railroads were turned back to private ownership, the private management reclassified the Negro as a trainporter and cut his pay in half. The Negro is the only American railroad worker who the more he does the less he is paid.

Most people are familiar with the subterfuge the Pullman Company used to employ of sending a Pullman car out in charge of a Pullman porter, calling him "Porter-in-charge" in order to keep from recognizing him as a Pullman conductor and paying him a conductor's pay altho he did everything a Pullman conductor did.

Equally familiar is the subterfuge of the railroad companies in sending out dining cars in charge of waiters who do everything a steward does, but to keep from recognizing the waiter-in-charge as a steward and paying him steward's pay, the railroads call him "waiter-in-charge" and give him a pat on the head and a few pence in his palm. During the War the FEPC tried to find out the difference between a steward and a waiter-in-charge, and finally came to the conclusion that outside of recognition and pay the only difference was that the steward had a white face and black coat, while the waiter-in-charge had a black face and a white coat.

Hat in Hand

For a long time the Negro railway worker did not know their rights, did not know how to fight. They depended on making friends and being humble to management, as in the pitiful tragic letter of April 7, 1928, which the Negro brakemen wrote to the president and vice-president of the Frisco lines in 1928 when the four brotherhoods clubbed the Frisco into agreeing never to hire any more Negro firemen or brakemen:

> Dear Sir:
>
> We the undersigned colored (freight) brakemen of the Tupelo and Birmingham Sub. Div. wish to petition your sovereignty by asking you farther privilege to meet you in a personal conference which is of a very serious nature and vital interest to us. Dear Mr. Kurn, we feel with all due respect to our superior officials that you are our only refuge in this most (terrible) calamity that has happened in the history of this your magnificent rail road. Hoping you will give this your earliest attention. Yours truly.
>
> Limit Brown, Gen. Chr (man) 17 yrs. service
> Jim Judge, Local " 13 yrs. service
> Abe Smith, Local " 14 yrs. service

or in this follow-up letter of April, 1928:

> Mr. J. E. Hutchinson. Vice President of St. L. and S.F. RR
>
> Dear Sir:
>
> We the undersigned Colored freight brakemen are the humble and submissive voices of the colored brakemen of the Tupelo and Birmingham Sub. Div. wish to petition your *majesty* to meet you in a conference to ascertain why and what accusations you have against us and our posterity to cast us off in old age after serving you most faithfully for over a decade and almost half our lives.
>
> Dear Mr. Hutchinson. If it be possible for us to remedy such an accusation we are more than willing to do all there is in our power to remove the obstacles which hinder the free and embarrassed actions of those about us, thanking you in advance for any consideration you may give us, we beg to remain your servants for ever.
>
> Limit Brown, Gen. Chr., 17 yrs. service
> Abe Smith

Of course Mr. Kurn and Mr. Hutchinson did absolutely nothing.

To bring the story to a close, about ten years ago two small Negro organizations of firemen and brakemen started to fight. It probably sounds like David and Goliath when one realizes that the Trainmen alone had 200,000 members while there were just 2,739 Negro brakemen, switchmen, and yardmen both in and out the two Negro organizations; 100,000 members in the Brotherhood of Locomotive Firemen & Enginemes while there were only 2,263 Negro firemen in the entire railroad industry; most of them unorganized.

There was no use in the Negro workers going to Congress and asking for remedial legislation. Congress, unfortunately, on most occasions shows itself more concerned with votes than principle. In addition the Negro firemen and brakemen were all in Southern states, and *Smith v. Allwright* had not been handed down ten years ago to crack the white primary. The only place the organizations could wage their fight was in the courts.

In Court

So the Association of Colored Railway Trainmen & Locomotive Firemen with headquarters in Roanoke, Virginia, and the International Association of Railway Employees with headquarters in Memphis started out. They have been joined by the Colored Trainmen of America from Kingsville, Texas. And recently five Negro railway labor unions: the Association of Colored Railway Employees, the Colored Trainmen of America, the Southern Association of Colored Railway Trainmen and Firemen from North Carolina, and the Dining Car and Railroad Food Workers Union of New York have joined hands and formed the Negro Railway Labor Executives Committee, which issues its own bimonthly bulletin to educate the Negro railroad workers as to their rights and to keep them advised of the cases which are being carried thru the courts.

In their first bulletin issued June, 1948 they stated:

> We Negro workers are no strangers, no newcomers to the industry. We were at work, firing and laying tracks, when the going was real rough, when railroading was still in its infancy.
>
> . . . the first steam locomotive to run on U.S. tracks . . . was called the "Best Friend of Charleston" and in December 1830 first ran the six-mile stretch of the Charleston & Hamburg RR. *The firemen on that first engine was a Negro fireman. . . .*
>
> Our fathers and grandfathers pioneered the industry. We will not be driven out more than 100 years later.

The Association of Colored Railway Trainmen & Locomotive Firemen and the International Association of Railway Employees carried the Steele and Tunstall cases to the Supreme Court of the United States, which established the basic principle that a majority union under the Railway Labor Act cannot make contracts which discriminate against the non-member minority workers (323 U.S. 192, 210). They are now working on cases in the United States District Courts in the District of Columbia, Louisville, Kentucky, and St. Louis, Missouri, which, if won, will establish the prinicple that a railroad union has no right to represent a non-member minority worker unless it gives him the chance to elect the officials who conduct the collective bargaining process, to censure and remove them, as possessed by the union members. If these cases are won the jim-crow union membership will be nothing but an empty shell.

In the federal courts in the District of Columbia and Louisville, Kentucky, the International Association of Railway Employees has obtained injunctions against the Firemen's Brotherhood putting forth proposals affecting Negro firemen's working conditions without first calling in the Negro firemen and giving them an opportunity to be heard and to vote on the propositions. Then, even if outvoted, we can still fall back on the Steele and Tunstall cases which establish the principle that the majority union cannot make a contract which unfairly discriminates against the non-member minority workers.

In the federal court in St. Louis the Association of Colored Railway Trainmen & Locomotive Firemen is conducting the Tillman case against the four brotherhoods and the Frisco in one lump trying to obtain a ruling that it violates the Railway Labor Act, the Federal Civil Rights Act and the Constitution of the United States for a railroad and a union to make a contract not to hire any qualified worker on the irrelevant and invidious distinctions of race, color, creed or national origin. That case is not over, but we are happy to report that on April 25, 1949, the Association forced the four brotherhoods to come into court and cancel the iniquitous contract of March 14, 1928, wherein they had forced the Frisco to agree never to hire any more Negro firemen or brakemen.

In Chicago the International is striking at the packed National Railroad Adjustment Board which has its First Division packed with representatives from the four-big brotherhoods, all of which exclude Negroes from membership. And credit is due to Richard R. Westbrooks of Chicago, representing the trainporters on the Santa Fe, who saved their jobs by an injunction against the Santa Fe and the Brotherhood of Railroad Trainmen against a decision of the packed First Division of the Adjustment Board giving the Santa Fe trainporters' jobs away to the white brotherhood brakemen.

The Negro railway labor organizations have now been battling ten years. They are prepared to battle ten or twenty years more, because what they are doing is basic to the whole concept of economic democracy. Every principle which they establish for railroads can be applied to every other public utility: gas, electricity, telephone and telegraph, bus lines and air lines, every industry affected with a public interest. As the Negro Railway Labor Executives Associataion announced: "Other fathers and grandfathers pioneered the railway indutsry, and we intend to hold this employment and broaden its base until every vestige of segregation and discrimination, and every limitation on a man's right to hold a job on the railroad based on race, creed, color or national origin, is wiped out. When we do this we shall have gained a victory not only for ourselves but we shall have gained a victory for the white railroad workers by freeing them from their prejudice and their fears; because they are imprisoned just as much as we are."

Little Scottsboro

(*Continued from page* 268)

the conviction to the state supreme court.

And now, what is the truth of the whole matter? What really happened on that fateful morning of July 16? From the testimony of the defendants, the plaintiffs, and the opinions of Groveland Negroes this is probably what happened. It is the only plausible reconstruction which fits all the facts.

What Happened?

Willie Padgett is what is known locally as a "clay-eating cracker" married into a powerful local Lake county clan, the Tysons. They are the kind of people folks don't mess with, be they white or be they colored. But Willie and Norma Lee didn't get along and Norma Lee went back to her father while Willie stayed with his mother. When he drove over to the Tysons to invite Norma Lee out to the square dance in Clermont that Friday night his idea probably was to effect a reconciliation. He bought a half pint of whiskey (his wife says a pint) on the way and spent the evening drinking with his estranged wife and his own in-laws. After the dance broke up at 1:00 A. M., Willie claims he set out "to get something to eat" at Okahumpka, some twenty miles away. They changed their minds and Willie says it was while attempting to turn his car around in the narrow road that it stalled and the Negroes came up. But why would Willie pass up eating places in Groveland to drive twenty miles to Okahumpka for food? Local belief is that while the pair were parked in a side road Willie, excited by the liquor, decided to exercise his conjugal rights. His wife repulsed him, leaped from the car, and fled after a scuffle and fight.

Willie then searched frantically for his wife in the dark and when he couldn't find her went back to his car. It was to divert the wrath of the dreaded Tysons that he thought up the "kidnap and rape" tale.

Let us mention a few of the puzzling aspects of this frameup. Why was no medical evidence of rape ever made public or produced in court during the trial? How could the police get a perfect plaster cast of Walter Irvin's shoe imprint at the scene of the "scuffle" twelve hours after the alleged crime? Why did the police confiscate the 1942 Mercury belonging to the Shepherds? How was it possible for Mrs. Padgett to describe this Mercury later in such minute detail? Why did they fail to present any evidence that rape had actually occurred on the back seat of the car? How were the Padgetts able to identify the supposed suspects so easily? Who were the experts that matched the piece of lint allegedly found on Mrs. Padgett's dress with a second piece of lint found in the car, and with still a third piece found on a dirty handkerchief at the scene of the "crime"? Why is it that Mrs. Padgett when picked up later that morning on the road by Curtis Howard, a white man, ran away from and not towards him as would have been expected of a white woman who had just undergone mass rape by Negroes? How explain that Greenlee didn't even know the other suspects and had never seen them until the police brought them together? And why would a "rape victim" strut and prance and pose like another Victoria Price of Scottsboro notoriety? She seems to have enjoyed being in the limelight and has never once acted like a victim of mass rape.

Underlying the racial tension in Lake county is the fact that the Negroes, at least twenty-five percent of them, are much more thrifty and hard-working than their shiftless white neighbors. What a Negro manages to accumulate in worldy goods is not much, but it is enough to arouse the ire and envy of the whites. There is also the feeling among some of the citrus growers that the Negroes of Lake county have grown "uppity" because they refuse to accept starvation wages. There are several instances in which the police have brutally assaulted Negro workers for quitting work in the groves, and the NAACP has their affidavits. Henry Shepherd was too prosperous; Samuel Shepherd was too "uppity"; a cracker needed a quick excuse and found it in sex; a mania seizes a community and four Negroes are selected as expiatory victims.

After you read this, please sit down and mail your contribution to the NAACP for the defense of these youths. Money is needed to appeal their cases, and lots of it. J. W. I.

LEGAL DIRECTORY

The following directory of some of the many colored lawyers in this country is carried in response to numerous inquiries from readers desiring to contact attorney outside their home towns. The Crisis maintains no legal bureau, and the N.A.A.C.P. handles only cases involving color discrimination, segregation or denial of citizen rights.

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STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, AS AMENDED BY THE ACTS OF MARCH 3, 1933, AND JULY 2, 1946

Of The Crisis, published monthly at New York, for October 1, 1949, State of New York, County of New York.

Before me, a Notary Public in and for the State and county aforesaid, personally appeared James W. Ivy, who, having been duly sworn according to law, deposes and says that he is the Managing Editor of The Crisis and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Acts of March 3, 1933, and July 2, 1946 (section 537, Postal Laws and Regulations), printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are: Publisher, The Crisis Publishing Company, Inc., 20 West 40th St.; Editor, Roy Wilkins, 20 West 40th St.; Managing Editor, James W. Ivy, 20 West 40th St.; Business Manager, Roy Wilkins, 20 West 40th St.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.) The Crisis Publishing Company, Inc., 20 West 40th St.; Dr. Louis T. Wright, President; 20 West 40th St.; Mrs. E. R. Alexander, Treasurer, 20 West 40th St. All stock owned by the National Association for the Advancement of Colored People.

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JAMES W. IVY,
Managing Editor

Sworn to and subscribed before me this 6th day of September, 1949.

(SEAL) MORRIS BERK

(My commission expires January 27, 1950)

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